

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, APRIL 17, 2006**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, April 17, 2006, with President Gray presiding.

Councillor Brown introduced Eva Coleman, Indianapolis Fire Department and pastor at Mt. Carmel Baptist Church, who led the opening prayer. Councillor Brown then invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*26 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*  
*3 ABSENT: Franklin, Langsford, Talley*

A quorum of twenty-six members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Pfisterer recognized mayor of Haughville Olgen Williams. Councillor Bradford recognized his brother Judge Cale Bradford. Councillor Brown recognized Chief Earnest Malone, Indianapolis Fire Department. Councillor McWhirter recognized Juvenile Court Judge Marilyn Moores.

## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 17, 2006, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Monroe Gray  
President, City-County Council

March 27, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, March 31, 2006, a copy of a Notice of Public Hearing on Proposal Nos. 177-180, 191, 192, and 194-197, 2006, said hearing to be held on Monday, April 17, 2006, at 7:00 p.m. in the City-County Building.

Respectfully,  
Jean Ann Milharcic  
Clerk of the City-County Council

April 3, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 22, 2006 – approves a transfer and appropriation of \$94,706 in the 2006 Budget of the Department of Parks and Recreation (Federal Grants, Non-Lapsing Federal Grants and Non-Lapsing State Grants Funds) to fund extended day programming ("K-Plus") at IPS School 82/Christian Park School, after-school programming in IPS and Washington Township schools, and drug and alcohol prevention programs, financed by grants from the U.S. Department of Education and the State of Indiana tobacco settlement fund

FISCAL ORDINANCE NO. 23, 2006 - approves an appropriation of \$6,920 in the 2006 Budget of the Department of Parks and Recreation (Non-lapsing State Grants Fund) to complete landscaping along the north bank of the Broad Ripple Canal from the Monon Trail to Guilford Avenue, financed by the balance of a 1999 grant from the Build Indiana Fund

FISCAL ORDINANCE NO. 24, 2006 - approves an appropriation of \$955,000 in the 2006 Budget of the Department of Parks and Recreation (Park General Fund) to complete land acquisition and site work at the future location of the First Tee Youth Golf Academy to be located in the area between 25th Street and 28th Street, Winthrop Avenue and the Monon Trail, financed by Indy Parks golf course revenues and grants from the First Tee program and the United States Golf Association

FISCAL ORDINANCE NO. 25, 2006 - approves an appropriation of \$30,000 in the 2006 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to design repairs to the Taggart Memorial in Riverside Park, financed by a federal grant

FISCAL ORDINANCE NO. 28, 2006 - approves an appropriation totaling \$886,687 in the 2006 Budget of Marion County Community Corrections (State and Federal Grants Fund) to implement a program to help remove juveniles early from state correctional facilities, financed by a grant from the Indiana Department of Corrections

*April 17, 2006*

FISCAL ORDINANCE NO. 29, 2006 - approves an increase of \$176,086 in the 2006 Budget of the Marion County Prosecutor (State and Federal Grants Fund and County Grants Fund) to fund expenses related to a narcotics eviction investigator, a stalking prosecutor, the purchase of radar guns, and overtime for nighttime seat belt enforcement efforts

FISCAL ORDINANCE NO. 30, 2006 - approves an appropriation of \$2,000,000 in the 2006 Budget of the Department of Public Works, Engineering Division (Transportation General Fund) to design a downtown Cultural Trail to promote education, commerce, tourism and fitness, funded by a grant from the Central Indiana Community Foundation

FISCAL ORDINANCE NO. 31, 2006 - approves a transfer of \$13,000 in the 2006 Budget of the Marion County Commissioners (County General Fund) to provide funding for a contract with a hearing officer for poor relief assistance appeals

FISCAL ORDINANCE NO. 34, 2006 - approves an additional appropriation of \$372,850 in the County General Fund for purposes of the Marion County Early Intervention Planning Council and reducing the unappropriated and unencumbered balance County General Fund, to fund the council's engagement of Indiana University-Purdue University Indianapolis (IUPUI), through its Center for Urban Policy and the Environment, to assist the City-County Council of the Consolidated City and County, Indianapolis, Indiana in establishing the Early Intervention Planning Council (hereafter "the EIPC") as described in City-County Ordinance No. 70, 2005 (Proposal No. 756, 2004)

GENERAL ORDINANCE NO. 35, 2006 - authorizes a hotel loading zone, a vehicle loading zone and a taxi zone for the Conrad Hotel and changes parking restrictions in the vicinity (Districts 15 and 19)

SPECIAL RESOLUTION NO. 16, 2006 - recognizes the bravery and responsible actions of Jacob Latham

SPECIAL RESOLUTION NO. 17, 2006 - recognizes Pastor Joe Johnson for his dedication to saving the youth

SPECIAL RESOLUTION NO. 18, 2006 - recognizes IndyFeral on obtaining a \$20,000 grant from PetSmart Charities to support the Trap-Neuter-Return ordinance

SPECIAL RESOLUTION NO. 19, 2006 - recognizes the National Collegiate Athletic Association's (NCAA) Centennial Celebration

SPECIAL RESOLUTION NO. 20, 2006 - honors the Irvington Historic Neighborhood

SPECIAL RESOLUTION NO. 21, 2006 - recognizes the members and 50th Anniversary of the 1956 undefeated Crispus Attucks Tigers State Basketball Championship Team and the team's induction into the Basketball Hall of Fame

SPECIAL RESOLUTION NO. 22, 2006 - encourages the development of a program for the employment of previously incarcerated persons, where appropriate, by the Consolidated City and County and certain contractors with the Consolidated City and County

Respectfully,  
Bart Peterson, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of March 27, 2006. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 230, 2006. The proposal, sponsored by Councillors Sanders, Langsford, Conley and Brown, honors IBEW Local 481 on the celebration of their 100th Anniversary. Councillor Sanders read the proposal and presented representatives with copies of the document

and Council pins. Tom O'Donnell, business manager for IBEW Local 481, thanked the Council for the recognition. Councillor Sanders moved, seconded by Councillor Abdullah, for adoption. Proposal No. 230, 2006 was adopted by a unanimous voice vote.

Proposal No. 230, 2006 was retitled SPECIAL RESOLUTION NO. 23, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 2006

A SPECIAL RESOLUTION honoring IBEW Local 481 on the celebration of their 100<sup>th</sup> Anniversary.

WHEREAS, the International Brotherhood of Electrical Workers, Local 481, was chartered on February 16, 1906, a year that was marked by the devastating San Francisco earthquake, a year when the country was led by Teddy Roosevelt, when Oklahoma was in the process of becoming the 46<sup>th</sup> state and when Upton Sinclair published "The Jungle", a searing indictment of working conditions in the meatpacking industry; and

WHEREAS, the early years of Local 481 were marked by economic instability and erratic working conditions, ironically, the onset of World War I created a flurry of work for the Local, which combined with the growth of Indianapolis, set the stage for long term stability; and

WHEREAS, the Local has lived by the adage "...the best customer of American industry is the well paid worker...", as illustrated by the wages, benefits and working conditions they strive for through mutual gains bargaining; and

WHEREAS, the Local has made its mark throughout this city in the construction of many of the landmarks we take for granted, including the Allison Transmission Plant, the Circle Center Mall, the City County Building, Conseco Field House, The Hoosier Dome, Eli Lilly Pharmaceuticals, all the major Hospitals, the Speedway, and the Children's Museum, just to name a few; and

WHEREAS, the Local has shown through its apprenticeship and training program that embracing technological change will ensure prosperity and stability for the next hundred years; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council wishes to congratulate IBEW Local 481, its retirees and members for generating a century of progress linked closely with the growth of our city and all of Central Indiana.

SECTION 2. The Council extends special congratulations to Thomas O'Donnell, who has served as Business Manager for the last decade, and the current Executive Board for their efforts in capturing the Local's rich history in both hard copy and CD.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 233, 2006. The proposal, sponsored by Councillors Schneider and Bradford, recognizes the hard work and dedication of County Human Resource Administrator Sara Logsdon. Councillor Schneider read the proposal and stated that it will be presented to Ms. Logsdon at a later date. Councillor Schneider moved, seconded by Councillor Gibson, for adoption. Proposal No. 233, 2006 was adopted by a unanimous voice vote.

Proposal No. 233, 2006 was retitled SPECIAL RESOLUTION NO. 24, 2006, and reads as follows:

*April 17, 2006*

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 2006

A SPECIAL RESOLUTION recognizing the hard work and dedication of County Human Resource Administrator Sara Logsdon.

WHEREAS, Ms. Logsdon has been the County HR Administrator for over seven years; and

WHEREAS, during this time, Ms. Logsdon assisted many county agencies and individuals with various personnel issues, ranging from position accountability to long-term disability; and

WHEREAS, Ms. Logsdon's professional and compassionate manner were extremely beneficial to all who came in contact with her; and

WHEREAS, Ms. Logsdon's efforts on behalf of county employees enhanced their employment with Marion County; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Sara Logsdon for her commitment to successfully handling employment matters for all Marion County agencies and individual persons.

SECTION 2. The Council extends its heartfelt appreciation for Ms. Logsdon, as her services and presence will be missed.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 262, 2006. The proposal, sponsored by Councillors Nytes, Cockrum, Mansfield, Salisbury and Langsford, recognizes the efforts of the American Legion National High School Oratorical Contest. Councillor Nytes read the proposal and stated that she will present the resolution at a later date. She moved, seconded by Councillor Gibson, for adoption. Proposal No. 262, 2006 was adopted by a unanimous voice vote.

Proposal No. 262, 2006 was retitled SPECIAL RESOLUTION NO. 25, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 2006

A SPECIAL RESOLUTION recognizing the efforts of the American Legion National High School Oratorical Contest.

WHEREAS, the purpose of the contest is to develop a deeper knowledge and appreciation of the Constitution of the United States on the part of high school students; and

WHEREAS, objectives of the contest include the development of leadership qualities, the ability to think and speak clearly and intelligently, and the preparation for acceptance of the duties, responsibilities, rights and privileges of American citizenship; and

WHEREAS, the contest is in its 69<sup>th</sup> year and since its inception, has awarded over \$3 million in college scholarships with approximately 4000 contestants entering each year through Post or District level contests; and

WHEREAS, fifty-four department winners from the fifty states, District of Columbia, France, Mexico, and Puerto Rico come to Indianapolis to compete in the national finals and this is the tenth year that the finals have been held at University Place on the campus of IUPUI ; and

WHEREAS, each national finals contestant receives a minimum \$1,500 college scholarship in which the champion receives an additional \$18,000 scholarship, second place winner receives an additional \$16,000 scholarship, and third place winner receives an additional \$14,000 scholarship; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the purpose and objectives of the American Legion National High School Oratorical Contest.

SECTION 2. The Council heartily congratulates this organization on its success in supporting high school students and providing opportunities to help fund higher education goals.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 263, 2006. The proposal, sponsored by Councillor Plowman, recognizes Dr. E.B. Carver on his many accomplishments during his tenure as the superintendent of Franklin Township Community Schools. Councillor Plowman read the proposal and presented Dr. Carver with a copy of the document and a Council pin. Dr. Carver thanked the Council for the recognition. Councillor Plowman moved, seconded by Councillor Borst, for adoption. Proposal No. 263, 2006 was adopted by a unanimous voice vote.

Proposal No. 263, 2006 was retitled SPECIAL RESOLUTION NO. 26, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 2006

A SPECIAL RESOLUTION recognizing Dr. E.B. Carver on his many accomplishments during his tenure as the superintendent of Franklin Township Community Schools.

WHEREAS, Dr. Carver announced on March 13, 2006 that he will retire on July 1, 2006, after serving more than 22 years as the township's superintendent; and

WHEREAS, Dr. Carver started his education career in 1959 and has worked in Indiana education for 47 years; and

WHEREAS, Dr. Carver became assistant principal of Pike High School in 1976 and received a call in 1979 to serve as principal of Franklin Central; and

WHEREAS, In November 1983, Dr. Carver was asked to serve as interim superintendent and was given a 3-year contract as superintendent in 1984; and

WHEREAS, His tenure at Franklin Township has been marked by advances in technology in schools, exceptional enrollment growth, and obtaining a federal order to institute desegregation by busing inner-city students; and

WHEREAS, since Dr. Carver began in 1983, township enrollment has gone from 3,833 students in six schools to 7,818 students in nine schools; and

WHEREAS, other highlights of Dr. Carver's career include establishing a consistent pay scale for non-certified employees, allowing each school to have its own budget, and aligning the curriculum to be consistent in each school; and

WHEREAS, Dr. Carver also has a vision plan for the fall of 2007 that includes the opening of a seventh elementary school, a second intermediate school, a second middle school, and a Freshman Academy wing; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Dr. Carver and his many accomplishments during his tenure as superintendent of the Franklin Township Community School system.

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SECTION 2. The Council heartily congratulates Dr. Carver on his retirement and wish him the best.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 264, 2006. The proposal, sponsored by All Councillors, honors the Lawrence North High School Boys Basketball team for winning their 3rd State title. Councillor Cain read the proposal and presented representatives with copies of the document and Council pins. Coach Jack Keefer and team member Michael Conley thanked the Council for the recognition. Councillor Cain moved, seconded by Councillor Gibson, for adoption. Proposal No. 264, 2006 was adopted by a unanimous voice vote.

Proposal No. 264, 2006 was retitled SPECIAL RESOLUTION NO. 27, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 2006

A SPECIAL RESOLUTION honoring the Lawrence North High School Boys Basketball team for winning their 3<sup>rd</sup> State title.

WHEREAS, the members of the team included Terron Bibbs, Qadr Owen, Brandon McDonald, Lawrence Smith, Michael Conley, Marcus Issac, Evar Jones, Mark Lantz, Jason Weigel, Wesley Smith, Damian Windham, Kamal Thomas, Christopher Read, Stephen Van Treese, and Greg Oden and was headed by Coach Jack Keefer; and

WHEREAS, after a grueling season and facing arguably the most difficult schedule any high school team in the country has ever faced, the team finished the season with a perfect 29-0 to secure their third consecutive boys basketball state championship and the coach's and school's fourth overall; and

WHEREAS, the Wildcats defeated Muncie Central 80-56 on Saturday, March 25<sup>th</sup>, which resulted in the forty-fifth consecutive victory, tying with the 1956 Crispus Attucks team led by Oscar Robertson; and

WHEREAS, Lawrence North became only the third team in Indiana history to win three consecutive state titles; and

WHEREAS, the team finished as the consensus National Champions with a four-year overall record of 104-7; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council is pleased to honor and recognize the members of the Lawrence North Wildcats and Coach Jack Keefer on a celebratory accomplishment and historic moment.

SECTION 2. The Council heartily congratulates graduating seniors: Brandon McDonald, Mike Conley, Evar Jones, Jason Weigel, and Greg Oden on a remarkable season and wishes them the best in their future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 265, 2006. The proposal, sponsored by Councillors Borst and Moriarty Adams, recognizes Mark Renner for his significant contributions to government. Councillor Borst read the proposal and presented Mr. Renner with a copy of the document and a Council pin. Mr. Renner thanked the Council for the recognition. Councillor Borst moved, seconded by

Councillor Moriarty Adams, for adoption. Proposal No. 265, 2006 was adopted by a unanimous voice vote.

Proposal No. 265, 2006 was retitled SPECIAL RESOLUTION NO. 28, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 2006

A SPECIAL RESOLUTION recognizing Mark Renner for his significant contributions to government.

WHEREAS, Mr. Renner has devoted himself to the practice of law for the past 25 years and has served his country and his community through various leadership positions related to law; and

WHEREAS, Mr. Renner has served as a Judge Advocate General for the United States Air Force, as Court Administrator and a Magistrate for the Marion County Superior Court, and as Deputy Prosecutor and Department Supervisor with the Marion County Prosecutor's Office; and

WHEREAS, as Court Administrator for the Marion Superior Court, Mr. Renner has assisted the Court's Executive Committee and all Judges in managing the fiscal, personnel and information technology needs of the Court; and

WHEREAS, Mr. Renner has served as a trusted advisor to the county Judiciary for issues that ensure the smooth and efficient running of Indiana's largest county court system, including technology outsourcing, strategic budget planning, and numerous business process redesign projects that have improved our county court system; and

WHEREAS, Mr. Renner has also served as a trusted representative for the county Judiciary on numerous projects, including the Indiana Supreme Court's "Judicial Technology and Automation Committee (JTAC)", an ambitious project to prepare and post court records on the internet, allow for electronic filings, and develop standards for judicial technology and all related court technology; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Mr. Renner for his significant contributions to government and thanks him for his service to the community as he leaves government for the private sector.

SECTION 2. Mr. Renner's enthusiasm, creativity, unimpeachable ethics, and most of all his constant dedication to the task at hand will serve him very well as he enters the next chapter of his life at Strand Analytical Laboratories.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 266, 2006. The proposal, sponsored by Councillors Talley and Conley, recognizes Mary J. Harrison. Councillor Conley read the proposal and stated that it will be offered at a later date to Ms. Harrison. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 266, 2006 was adopted by a unanimous voice vote.

Proposal No. 266, 2006 was retitled SPECIAL RESOLUTION NO. 29, 2006, and reads as follows:



*April 17, 2006*

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 2006

A SPECIAL RESOLUTION recognizing Mary J. Harrison.

WHEREAS, God's gift to us of Mary J. Harrison could not have been foretold but the pleasure of knowing her and her work will survive as her story will be told and remembered from generation to generation, from neighbor to neighbor and by just common folks, who knew her, spreading the word; and

WHEREAS, we wish to congratulate Mary J. Harrison and to honor her by remembering with her the day she received the gift of life - April 22, 1926 here in the great city of Indianapolis, IN; and

WHEREAS, Mary J. Harrison is a mother a grandmother, a great grandmother, a best friend of all children and happens also to have time to love her two dogs Kios and Brutus, and

WHEREAS, Mary J. Harrison, a 1944 graduate of Crispus Attucks High School, soon realized that government works best for all citizens when all citizens are involved in shaping their government, in furtherance of which she has been an avid supporter of all persons exercising their right to vote and volunteered at all levels of the election process, and

WHEREAS, in addition to raising a family, participating in her church and her civic participation, Mary J. Harrison retired in 1992 from Naval Avionics then worked for the Indianapolis Public Schools until her second retirement in 2005; and

WHEREAS, she is long time member of the Indianapolis Recorder Women and such an active golfer as to enjoy watching it on television; and

WHEREAS, I pray this proud and humble servant, who has given generously of her time and talents over past years will continue the rich and rewarding tradition of her many purposeful acts of one-on-one charity and kindness; and

WHEREAS, Indianapolis, a proud city of achievement, is also the city whose citizens Mary J. Harrison has served and are whose citizens have been the beneficiaries of her many gifts and talents; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly congratulates Mary J. Harrison on the 80<sup>th</sup> anniversary of her birth.

SECTION 2. As we enter the seventh year of the new millennium, we ask that we all remember the unselfish sharing of faith, knowledge and ideas brought us by Mary J. Harrison; realize that we are blessed that she is one of ours; and resolve to begin immediately to imitate and pass along the same to our young who are seeking out and accepting the new challenges and opportunities the future holds in promise for us all.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

President Gray passed the gavel to Vice President Sanders.

PROPOSAL NO. 267, 2006. The proposal, sponsored by Councillors Gray, Brown and Talley, honors Telecommunicators, more commonly referred to as Dispatchers. Councillor Gray read the proposal and presented copies of the document and Council pins to representatives. Dispatcher Sherry Taylor thanked the Council for the recognition. Councillor Gray moved, seconded by Councillor Brown, for adoption. Proposal No. 267, 2006 was adopted by a unanimous voice vote.

Proposal No. 267, 2006 was retitled SPECIAL RESOLUTION NO. 30, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 2006

A SPECIAL RESOLUTION honoring Telecommunicators, more commonly referred to as Dispatchers.

WHEREAS, Telecommunicators are the vital link between citizens in need of Public Safety assistance and the responders necessary to mitigate the incident; and

WHEREAS, though not often thought of or recognized for their impact on an incident, Telecommunicators are highly trained and skilled professionals; and

WHEREAS, the Fire and EMS Telecommunicators are also specially trained to administer initial emergency medical care to patients who need assistance; and

WHEREAS, the manner in which a Telecommunicator handles an incident has great impact on shaping the incident from the beginning of a call through the end of the incident; and

WHEREAS, Telecommunicators regularly work nights, weekends, and holidays for minimal pay yet remain dedicated to ensuring that each citizen receives the best possible care; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the hard work and dedication of these professionals during National Telecommunicator week, April 9<sup>th</sup> through 15<sup>th</sup>, 2006.

SECTION 2. The Council heartily congratulates all Telecommunicators and applauds the four outstanding employees for 2005 that will be recognized during this week.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Vice President Sanders returned the gavel to President Gray.

PROPOSAL NO. 239, 2006. The proposal, sponsored by Councillors Sanders, Keller and Nytes, recognizes Indianapolis as a city committed to inclusion and a member of the Partnership for Working Toward Inclusive Communities.

Councillor McWhirter moved, seconded by Councillor Bradford, to send Proposal No. 239, 2006 to Committee. President Gray said that eight votes are needed to refer the proposal to Committee.

Councillor Nytes asked if there can first be discussion on the proposal and debate on the motion. General Counsel Aaron Haith said that debate should precede the motion, and the motion is properly before the Council with no debate. Councillor McWhirter said that she will withdraw her motion to allow for debate and offer it after debate has taken place.

Councillor Nytes read the proposal and said that this will help to celebrate and encourage diverse communities. She moved, seconded by Councillor Sanders, for adoption.

Councillor McWhirter moved, seconded by Councillor Bradford, to send Proposal No. 239, 2006 to Committee. Proposal No. 239, 2006 was referred to committee on the following roll call vote; viz:

April 17, 2006

*11 YEAS: Borst, Bradford, Cain, Cockrum, Day, McWhirter, Pfisterer, Plowman, Salisbury, Schneider, Speedy*

*14 NAYS: Abdullah, Bowes, Boyd, Brown, Conley, Gibson, Gray, Keller, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders*

*1 NOT VOTING: Randolph*

*3 ABSENT: Franklin, Langsford, Talley*

Councillor Borst asked to which committee this proposal will be referred. President Gray stated that it will be referred to Community Affairs Committee.

PROPOSAL NO. 32, 2006. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 32, 2006 on April 12, 2006. The proposal, sponsored by Councillor Gray, reappoints George Pillow to the Indianapolis Economic Development Commission. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum stated that he has not received attendance reports records for five committees from last year and he would like to postpone those proposals until attendance records are available. He moved that Proposal Nos. 32, 167, 188, 199, and 201, 2006 be postponed.

Councillor Gray stated that this motion is out of order as only Proposal No. 32, 2006 is being discussed at this time.

Councillor Nytes moved, seconded by Councillor Sanders for adoption. Proposal No. 32, 2006 was adopted by a voice vote.

Proposal No. 32, 2006 was retitled COUNCIL RESOLUTION NO. 45, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 2006

A COUNCIL RESOLUTION reappointing George Pillow to the Indianapolis Economic Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Economic Development Commission, the Council reappoints:

George Pillow

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007 and until a successor is appointed and qualifies.

Councillor Cockrum moved, seconded by Councillor Bradford, to postpone Proposal Nos. 167, 188, 199, and 201, 2006.

Councillor Nytes stated that Proposal No. 167, 2006 reappoints Councillor Oliver, and she asked why this one is being questioned.

Councillor Mansfield stated that when Proposal Nos. 199 and 201, 2006 were presented in committee, they were told that the committee has not met on a regular basis and therefore does not have records.

Councillor Sanders said that Councillor Cockrum's motion is out of order as the agenda has already been adopted. Councillor Borst stated that Councillor Cockrum's motion is not out of order. Councillor Cockrum said that his former motion was ruled out of order and was not allowed at that time, and that is why he is making it at this time.

Councillor Schneider asked if consent was given to group all these proposals together. President Gray said that it has not yet been determined.

Councillor Cockrum asked that Proposal No. 189, 2006 be voted on separately, as this appointee only has a 38% attendance record.

Councillor Schneider asked that Proposal No. 34, 2006 also be voted on separately.

President Gray stated that these proposals will be voted on by Committee and those that need to be voted on separately can be pulled out at the proper time.

PROPOSAL NO. 34, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 34, 2006 on April 4, 2006. The proposal, sponsored by Councillors Gray and Sanders, reappoints Kenneth Almon to the Equal Opportunity Advisory Board. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Gibson, for adoption. Proposal No. 34, 2006 was adopted on the following roll call vote; viz:

*18 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders*  
*6 NAYS: Bradford, Cain, Plowman, Randolph, Salisbury, Schneider*  
*2 NOT VOTING: Cockrum, Speedy*  
*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 34, 2006 was retitled COUNCIL RESOLUTION NO. 46, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 2006

A COUNCIL RESOLUTION reappointing Kenneth Almon to the Equal Opportunity Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council reappoints:

Kenneth Almon

SECTION 2. The appointment made by this resolution, pursuant to Sec. 581-302 of the Revised Code of the City and County, is for a term ending December 31, 2008 and until a successor is appointed and qualifies.

Councillor Nytes stated that the Economic Development Committee heard Proposal Nos. 124, 125 and 167, 2006 on April 12, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 124, 2006. The proposal, sponsored by Councillors Gray, Nytes and Conley, appoints Venita J. Moore to the City Market Corporation board of directors. PROPOSAL NO. 125, 2006. The proposal, sponsored by Councillors Gray, Nytes and Conley, appoints Debra M. Simmons Wilson to the City Market Corporation board of directors. PROPOSAL NO. 167,

*April 17, 2006*

2006. The proposal, sponsored by Councillors Gray and Conley, reappoints William C. Oliver to the Urban Enterprise Association Board of Directors. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Nytes moved, seconded by Councillor Gibson, for adoption.

Councillor Bradford said that he will support these ordinances, but that he would like to see the City Market board do more, as they have offered ideas in the past but are not really doing anything new.

Proposal Nos. 124, 125 and 167, 2006 were adopted by a unanimous voice vote.

Proposal No. 124, 2006 was retitled COUNCIL RESOLUTION NO. 47, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 2006

A COUNCIL RESOLUTION appointing Venita J. Moore to the City Market Corporation board of directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City Market Corporation board of directors, the Council appoints:

Venita J. Moore

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 125, 2006 was retitled COUNCIL RESOLUTION NO. 48, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 2006

A COUNCIL RESOLUTION appointing Debra M. Simmons Wilson to the City Market Corporation board of directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City Market Corporation board of directors, the Council appoints:

Debra M. Simmons Wilson

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 167, 2006 was retitled COUNCIL RESOLUTION NO. 49, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 2006

A COUNCIL RESOLUTION reappointing William C. Oliver to the Urban Enterprise Association Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Urban Enterprise Association Board of Directors, the Council reappoints:

William C. Oliver

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007.

PROPOSAL NO. 142, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 142, 2006 on March 28, 2006. The proposal, sponsored by Councillors Nytes, McWhirter, Sanders and Conley, affirms the recommendation of the cable franchise administrator and the cable franchise board to require First Mile to submit an application for franchise. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Boyd moved, seconded by Councillor Gibson, to strike. Proposal No. 142, 2006 was stricken by a unanimous voice vote.

PROPOSAL NO. 145, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 145, 2006 on March 28, 2006. The proposal, sponsored by Councillor Gray, appoints David Murray to the Common Construction Wage Committee for Wayne Township including Speedway and Speedway Schools. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Gibson, for adoption. Proposal No. 145, 2006 was adopted by a unanimous voice vote.

Proposal No. 145, 2006 was retitled COUNCIL RESOLUTION NO. 66, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 66, 2006

A COUNCIL RESOLUTION appointing David Murray to the Common Construction Wage Committee for Wayne Township including Speedway and Speedway Schools.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Common Construction Wage Committee, the Council appoints:

David Murray

SECTION 2. The appointment made by this resolution is made at the pleasure of the council and shall continue until a successor is appointed and qualifies.

Councillor Mahern reported that the Metropolitan Development Committee heard Proposal Nos. 171-175, 2006 on April 10, 2006. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 171, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Frank Hagaman to the Metropolitan Zoning Appeals Board III. PROPOSAL NO. 172, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Kathryn D. Guthrie to the Metropolitan Zoning Appeals Board III. PROPOSAL NO. 173, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Joanna Taft to the Metropolitan Zoning Appeals Board II. PROPOSAL NO. 174, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Bruce Curry to the Metropolitan Zoning Appeals Board II. PROPOSAL NO. 175, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Amy S. Kotzbauer to the Metropolitan Zoning Appeals Board I. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Mahern

*April 17, 2006*

moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 171-175, 2006 were adopted by a unanimous voice vote.

Proposal No. 171, 2006 was retitled COUNCIL RESOLUTION NO. 50, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 2006

A COUNCIL RESOLUTION reappointing Frank Hagaman to the Metropolitan Zoning Appeals Board III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Zoning Appeals Board III, the Council reappoints:

Frank Hagaman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006.

Proposal No. 172, 2006 was retitled COUNCIL RESOLUTION NO. 51, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 2006

A COUNCIL RESOLUTION reappointing Kathryn D. Guthrie to the Metropolitan Zoning Appeals Board III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Zoning Appeals Board III, the Council reappoints:

Kathryn D. Guthrie

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006.

Proposal No. 173, 2006 was retitled COUNCIL RESOLUTION NO. 52, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 2006

A COUNCIL RESOLUTION reappointing Joanna Taft to the Metropolitan Zoning Appeals Board II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Zoning Appeals Board II, the Council reappoints:

Joanna Taft

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006.

Proposal No. 174, 2006 was retitled COUNCIL RESOLUTION NO. 53, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 2006

A COUNCIL RESOLUTION reappointing Bruce Curry to the Metropolitan Zoning Appeals Board II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Zoning Appeals Board II, the Council reappoints:

Bruce Curry

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006.

Proposal No. 175, 2006 was retitled COUNCIL RESOLUTION NO. 54, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 2006

A COUNCIL RESOLUTION reappointing Amy S. Kotzbauer to the Metropolitan Zoning Appeals Board I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Zoning Appeals Board I, the Council reappoints:

Amy S. Kotzbauer

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006.

PROPOSAL NO. 181, 2006. Councillor Gibson reported that the Municipal Corporations Committee heard Proposal No. 181, 2006 on April 3, 2006. The proposal, sponsored by Councillors Gray and Conley, appoints Greg Bedan to the Indianapolis Public Transportation Corporation Board of Directors. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gibson moved, seconded by Councillor Mahern, for adoption. Proposal No. 181, 2006 was adopted by unanimous voice vote.

Proposal No. 181, 2006 was retitled COUNCIL RESOLUTION NO. 55, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 2006

A COUNCIL RESOLUTION appointing Greg Bedan to the Indianapolis Public Transportation Corporation Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Public Transportation Corporation Board of Directors, the Council appoints:

Greg Bedan

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009 or until a successor is appointed and qualifies.

Councillor Brown reported that the Parks and Recreation Committee heard Proposal Nos. 182 and 183, 2006 on April 13, 2006. He asked for consent to vote on these proposals together. Consent was given.



PROPOSAL NO. 182, 2006. The proposal, sponsored by Councillors Gray, Brown and Conley, reappoints Thomas A. John to the Indianapolis Greenways Development Committee. PROPOSAL NO. 183, 2006. The proposal, sponsored by Councillors Gray, Brown and Conley, reappoints Dennis Papenmeir to the Indianapolis Greenways Development Committee. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they be stricken. Councillor Brown moved, seconded by Councillor Conley, to strike. Proposal Nos. 182 and 183, 2006 were stricken by a unanimous voice vote.

PROPOSAL NO. 187, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 187, 2006 on March 29, 2006. The proposal, sponsored by Councillors Gray, Conley and Moriarty Adams, reappoints David Cook, Chief Public Defender, to the Marion County Community Corrections Advisory Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Moriarty Adams moved, seconded by Councillor Conley, for adoption. Proposal No. 187, 2006 was adopted by a unanimous voice vote.

Proposal No. 187, 2006 was retitled COUNCIL RESOLUTION NO. 56, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 2006

A COUNCIL RESOLUTION reappointing David Cook, Chief Public Defender, to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council reappoints:

David Cook

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009.

PROPOSAL NO. 188, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 188, 2006 on March 29, 2006. The proposal, sponsored by Councillors Gray, Conley and Moriarty Adams, reappoints Tom Alvarez to the Marion County Animal Care and Control Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Conley, for adoption.

Councillor Cockrum moved, seconded by Councillor Salisbury, to table Proposal No. 188, 2006 due to no attendance records being available. Councillor Nytes said that she appreciates Councillor Cockrum's attention to attendance records, but that Mr. Alvarez was elected to a leadership position on this board, and she does not believe if there were a problem with his attendance record, he would have been elected. The motion to table failed on the following roll call vote; viz:

*10 YEAS: Bradford, Cain, Cockrum, Day, McWhirter, Plowman, Randolph, Salisbury, Schneider, Speedy*

*16 NAYS: Abdullah, Borst, Bowes, Boyd, Brown, Conley, Gibson, Gray, Keller, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders*

*0 NOT VOTING:*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 188, 2006 was adopted on the following roll call vote; viz:

*24 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy*

*1 NAY: Cockrum*

*1 NOT VOTING: Randolph*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 188, 2006 was retitled COUNCIL RESOLUTION NO. 57, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 2006

A COUNCIL RESOLUTION reappointing Tom Alvarez to the Marion County Animal Care and Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Animal Care and Control Board, the Council reappoints:

Tom Alvarez

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006 or until a successor is appointed and qualifies.

PROPOSAL NO. 189, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 189, 2006 on March 29, 2006. The proposal, sponsored by Councillors Gray, Conley and Moriarty Adams, reappoints Brian Tuohy to the Marion County Public Defender Agency Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum stated that this appointee has only attended three meetings and only has a 38% attendance rate. He encouraged Councillors to oppose the appointment as this is not acceptable attendance.

Councillor Bradford stated that he supports the proposal and knows that Mr. Tuohy has been a valuable asset to the board.

Councillor Moriarty Adams moved, seconded by Councillor Conley, for adoption. Proposal No. 189, 2006 was adopted by a voice vote.

Proposal No. 189, 2006 was retitled COUNCIL RESOLUTION NO. 58, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 2006

A COUNCIL RESOLUTION reappointing Brian Tuohy to the Marion County Public Defender Agency Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

*April 17, 2006*

SECTION 1. As a member of the Marion County Public Defender Agency Board, the Council reappoints:

Brian Tuohy

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008.

PROPOSAL NO. 199, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 199, 2006 on April 6, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Leon E. Bates to the Marion County Stormwater Management Technical Advisory Committee. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Mansfield, for adoption.

Councillor Cockrum moved, seconded by Councillor Cain, to table Proposal No. 199, 2006. He said that there are no attendance records available for this committee.

Councillor Conley said that this committee does not have regular meetings and attendance records are beyond members' control. Councillor Mansfield added that this has been an inactive committee, but will now be active once some of these positions are filled. She said that there are no attendance records because there were no meetings last year. Councillor Mahern said that Department of Public Works director James Garrard assured the committee that regular meetings would be taking place.

Councillor Abdullallah agreed that more information is needed and said that he will support the motion to table.

The motion to table Proposal No. 199, 2006 failed on a voice vote.

Proposal No. 199, 2006 was adopted on the following roll call vote; viz:

*21 YEAS: Borst, Boyd, Bradford, Brown, Cain, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Sanders, Schneider, Speedy*  
*4 NAYS: Abdullallah, Cockrum, Plowman, Salisbury*  
*1 NOT VOTING: Bowes*  
*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 199, 2006 was retitled COUNCIL RESOLUTION NO. 59, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 2006

A COUNCIL RESOLUTION reappointing Leon E. Bates to the Marion County Stormwater Management Technical Advisory Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Stormwater Management Technical Advisory Committee, the Council reappoints:

Leon E. Bates

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008.

PROPOSAL NO. 201, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 199, 2006 on April 6, 2006. The proposal, sponsored by Councillors Gray and Conley, reappoints Mark F. Remreich to the Marion County Stormwater Management Technical Advisory Committee. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 201, 2006 was adopted by a unanimous voice vote.

Proposal No. 201 2006 was retitled COUNCIL RESOLUTION NO. 60, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 2006

A COUNCIL RESOLUTION reappointing Mark F. Remreich to the Marion County Stormwater Management Technical Advisory Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Stormwater Management Technical Advisory Committee, the Council reappoints:

Mark F. Remreich

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008.

PROPOSAL NO. 202, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 199, 2006 on April 6, 2006. The proposal, sponsored by Councillors Conley and Brown, reappoints Sue Schalk to the Board of Public Works. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Mansfield, for adoption. Proposal No. 202, 2006 was adopted by a unanimous voice vote.

Proposal No. 202, 2006 was retitled COUNCIL RESOLUTION NO. 61, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 2006  
Proposal No. 202, 2006

A COUNCIL RESOLUTION reappointing Sue Schalk to the Board Of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board Of Public Works, the Council reappoints:

Sue Schalk

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2006 pursuant to Sec. 261-402 of the Revised Code of the City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal Nos. 218, 221, 222 and 223, 2006 on March 28, 2006. He asked for consent to vote on these proposals together. Consent was given.

*April 17, 2006*

PROPOSAL NO. 218, 2006. The proposal, sponsored by Councillors Gray, Talley, Conley and Brown, reappoints Peter L. Blum to the Cable Franchise Board. PROPOSAL NO. 221, 2006. The proposal, sponsored by Councillors Gray, Conley and Brown, appoints Harold Smith to the Common Construction Wage Committee for Decatur Township. PROPOSAL NO. 222, 2006. The proposal, sponsored by Councillors Gray, Conley and Brown, reappoints Deborah Bonnet to the Board of Ethics. PROPOSAL NO. 223, 2006. The proposal, sponsored by Councillors Gray, Conley and Brown, reappoints Olga Villa Parra to the Board of Ethics. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Boyd moved, seconded by Councillor Mahern, for adoption. Proposal Nos. 218, 221, 222 and 223, 2006 were adopted by a unanimous voice vote.

Proposal No. 218, 2006 was retitled COUNCIL RESOLUTION NO. 62, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 2006

A COUNCIL RESOLUTION reappointing Peter L. Blum to the Cable Franchise Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Cable Franchise Board, the Council reappoints:

Peter L. Blum

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the council or until a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 221, 2006 was retitled COUNCIL RESOLUTION NO. 63, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 2006

A COUNCIL RESOLUTION appointing Harold Smith to the Common Construction Wage Committee, for Decatur Township.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Common Construction Wage Committee, the Council appoints:

Harold Smith

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 222, 2006 was retitled COUNCIL RESOLUTION NO. 64, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 2006

A COUNCIL RESOLUTION reappointing Deborah Bonnet to the Board of Ethics.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Ethics, the Council reappoints:

Deborah Bonnet

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 223, 2006 was retitled COUNCIL RESOLUTION NO. 65, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 65, 2006

A COUNCIL RESOLUTION reappointing Olga Villa Parra to the Board of Ethics.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Ethics, the Council reappoints:

Olga Villa Parra

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor McWhirter asked President Gray if he could insure that staff get attendance records available during the committee process, so that the Council can move more efficiently through these types of reappointments. President Gray said that he has already spoken about this with the Clerk today and expects vacancies and attendance records to be available more readily in the future.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 240, 2006. Introduced by Councillors Nytes, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$183,000 in the 2006 Budget of the Office of Finance and Management (Landmark Building Preservation Fund) for the purpose of conducting a HVAC/Exhaust study and making capital repairs and improvements to electrical and plumbing systems at the City Market"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 241, 2006. Introduced by Councillors Plowman and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$538,000 in the Budget of the Marion County Election Board (Section 102 HAVA Reimbursement Fund) to pay for expenses related to the refinance of the county's voting machines and to cover the estimated interest payments and attorney fees throughout 2006, funded by the Help America Vote Act fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 242, 2006. Introduced by Councillors Brown, Cockrum and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$115,000 in the 2006 Budget of the Department of Parks and Recreation (Park General Fund)

to pay for a portion of the construction costs associated with the Earth Discovery Center, a state of the art interactive environmental learning center available to audiences young and old throughout the County, funded by interest earned on Lilly Grants"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 243, 2006. Introduced by Councillors Moriarty Adams, Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Les Duval to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 244, 2006. Introduced by Councillors Moriarty Adams, Gray, Brown and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Adrian Homes to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 245, 2006. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which aapproves an increase of \$23,083 in the 2006 budget of the Marion County Prosecutor (State and Federal Grants Fund and the County Grants Fund) to partially fund the salary and benefits for a domestic violence prosecutor through a subgrant from IPD's "Grant to Encourage Arrest" from the US Department of Justice's Office of Violence Against Women"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 246, 2006. Introduced by Councillors Conley, Gray and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Clarence Crain to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 247, 2006. Introduced by Councillor Conley. The Clerk read the proposal entitled: "A Proposal for a General Resolution which requests a parking meter blackout on May 26, 2006, to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 248, 2006. Introduced by Councillors Nytes and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in the preferential street at the intersection of 17th Street and New Jersey Street (District 9)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 249, 2006. Introduced by Councillors Nytes, Abdualлах, Mahern and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the deletion of 45 degree angle, 90 degree angle, and 60 degree angle parking at various locations within the City of Indianapolis (Districts 9, 15, 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 250, 2006. Introduced by Councillors Keller, Langsford and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Bosart Avenue and Wentworth Boulevard (Districts 16, 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 251, 2006. Introduced by Councillors Borst and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes one-way restrictions on

Weaver Avenue between Edwards Avenue and Windermire Street (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 252, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Bentley Farms Subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 253, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Feather Run Subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 254, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Southport Green Subdivision, Section 2 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 255, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Harmony Subdivision, Section 1 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 256, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Waters Edge at Cummins Farm Subdivision, Section 3 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 257, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Moeller Estates at Wildwood Farms Subdivision, Section 1 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 258, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Keeneland Crest Subdivision, Sections 1, 2 and 3 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 259, 2006. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Glen Ridge South Subdivision, Sections 2 and 3 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 260, 2006. Introduced by Councillors Gray, Borst, Boyd, Sanders and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Ellen White Quigley as the Deputy Mayor for Community Affairs for a term ending December 31, 2006 and until a successor is appointed and confirmed"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 261, 2006. Introduced by Councillors Randolph, Franklin and Schneider. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which permits the



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Chairman of the Municipal Corporations Committee to strongly encourage binding arbitration for all parties involved in the Indianapolis Marion County Public Library (IMCPL) legal dispute and authorizes a study to be conducted by a qualified, outside non-partisan organization to explore the financial impact of binding arbitrations as well as an appropriate form of public/private partnership as a viable alternative to an increase in property tax"; and the President referred it to the Rules and Public Policy Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 238, 2006. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 238, 2006 on April 12, 2006. The proposal, sponsored by Councillor Nytes, authorizes the City of Indianapolis to amend certain provisions of the City of Indianapolis, Indiana Economic Development Revenue Refunding Bonds (Lockefield Associates, L.P. Project), Series 1996A, approving amendments to the Financing Agreement and Indenture with respect thereto and approves and authorizes other actions in respect thereto. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Keller stated that he will have to abstain due to a potential conflict of interest.

Councillor Bradford asked if this will cost the City any fees. Councillor Nytes said nothing other than the normal legal fees associated with any refinancing.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 238, 2006 was adopted on the following roll call vote; viz:

*23 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gray, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy*

*0 NAYS:*

*3 NOT VOTING: Gibson, Keller, Plowman*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 238, 2006 was retitled SPECIAL ORDINANCE NO. 3, 2006, and reads as follows:

#### **CITY-COUNTY SPECIAL ORDINANCE NO. 3, 2006**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to amend certain provisions of the City of Indianapolis, Indiana Economic Development Revenue Refunding Bonds (Lockefield Associates, L.P. Project), Series 1996A (the "Bonds"), approving amendments to the Financing Agreement and Indenture with respect thereto and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer, and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") issued its Economic Development Revenue Refunding Bonds (Lockefield Associates, L.P. Project), Series 1996A Bonds (the "Bonds") and loaned the proceeds thereof to Lockefield Associates, L.P. (the "Company") in order to enable the Company to refinance the acquisition, construction, redevelopment and equipping of a residential apartment project in Indianapolis, Indiana (the "Project"); and

WHEREAS, the Issuer issued the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of May 1, 1996, by and between the Issuer and J.P. Morgan Trust Company, National Association (formerly known as Bank One, Indianapolis, NA), as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Financing Agreement by and between the Issuer, the Trustee, Bank One Capital Funding Corporation, as Leader, and the Company (the "Financing Agreement") dated as of May 1, 1996; and

WHEREAS, there has been submitted to the Indianapolis Economic Development Commission for its approval substantially final forms of the First Amendment to Indenture and the First Amendment to Financing Agreement and the forms of the Amended Bonds (hereinafter referred to collectively as the "Financing Documents") and the proposed form of special ordinance which are by this reference incorporated herein; and

WHEREAS, the Indianapolis Economic Development Commission found that the execution of the Financing Documents complies with the purposes and provisions of the Act and will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, there has been submitted to the City-County Council for its approval substantially final forms of the Financing Documents which are by this reference incorporated herein; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the execution of the Financing Documents will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Amended Bonds in the aggregate principal amount not to exceed \$15,680,000 in exchange for the Bonds, which Amended Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Documents to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Amended Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Amended Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of the Amended Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 5. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Amended Bonds and after the issuance of the Amended Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as the Amended Bonds or the interest thereon remains unpaid.

SECTION 6. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

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PROPOSAL NOS. 268-270, 2006, PROPOSAL NOS. 271-273, 2006, and PROPOSAL NO. 274, 2006. Introduced by Councillor Mahern. Proposal Nos. 268-270, 2006, Proposal Nos. 271-273, 2006, and Proposal No. 274, 2006 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on March 17 and April 6, 2006. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 62-68, 2006, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 62, 2006.

2005-ZON-226

2000 CUMBERLAND RD (Approximate Addresses), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 18

TRITON DEVELOPMENT, LLC, by Stephen D. Mears requests a rezoning of 20.31 acres, being in the D-A District, to the D-3 classification to provide for the development of a single-family residential community.

REZONING ORDINANCE NO. 63, 2006.

2006-ZON-006

9743 EAST 30<sup>TH</sup> STREET (Approximate Addresses), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 18.

LEE AND RYAN ENVIRONMENTAL CONSULTING, by Brian J. Tuohy, requests a rezoning of 6.51 acres, being in the SU-1 district, to the C-S classification to provide for office uses.

REZONING ORDINANCE NO. 64, 2006.

2006-ZON-008

4000, 4002 AND 4004 MEADOW DRIVE AND 3000, 3020 AND 3030 MEADOW PARKWAY

(Approximate Addresses), INDIANAPOLIS

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4.

CHALLENGE FOUNDATION ACADEMY, INC, by Eugene Valenzano, requests a rezoning of 13.95 acres, being in the C-1 (W-5), C-4 (W-5) AND D-8 (W-5) Districts, to the SU-2 (W-5) classification to provide for a charter school.

REZONING ORDINANCE NO. 65, 2006.

2005-ZON-184

7249 AND 7255 EAST THOMPSON ROAD (Approximate Addresses), INDIANAPOLIS

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25.

TIMOTHY L. AMICK AND MELISSA J. AMICK, by David A. Retherford, request a rezoning of 4.98 acres, being in the D-3 and D-A Districts, to the I-2-S classification to provide for a landscaping contractor's business.

REZONING ORDINANCE NO. 66, 2006.

2005-ZON-191

2032 EAST 10<sup>TH</sup> STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16.

EAST 10<sup>TH</sup> STREET CIVIC ASSOCIATION, by David Kingen, requests a rezoning of 0.15 acre, being in the C-2 District, to the C-3C classification to provide for a mixed use redevelopment. The details of the petition are on file.

REZONING ORDINANCE NO. 67, 2006.

2005-ZON-223

2145 SOUTH MERIDIAN STREET (Approximate Addresses), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

MARQUIS PROPERTIES, LLC, by Michael J. Kias, requests a rezoning of 0.25 acre, being in the C-3 District, to the D-5 classification to legally establish single family dwelling use.

REZONING ORDINANCE NO. 68, 2006.

2005-ZON-077

1405, 1445 AND 1501 NORTH HIGH SCHOOL ROAD (Approximate Addresses),  
INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 14.

THE J.C. HART COMPANY, INC., by Michael C. Cook, requests a rezoning of 21.7 acres, being in the D-3 (FW)(W-1)(W-5) and SU-34 (FW)(FF)(W-1) Districts, to the D-P (FW)(FF)(W-1)(W-5) classification to provide for a multi-family residential development with a maximum density of 5.81 units per acre.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 177, 2006. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 177, 2006 on April 10, 2006. The proposal, sponsored by Councillors Mahern, Keller and Conley, approves an appropriation of \$900,000 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Consolidated County Fund) to award funding from the Housing Trust, a subfund of the Consolidated County Fund, for affordable housing opportunities for low-income families in Marion County, financed by fund balance. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:48 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Brown, for adoption. Proposal No. 177, 2006 was adopted on the following roll call vote; viz:

*24 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders*

*2 NAYS: Schneider, Speedy*

*0 NOT VOTING:*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 177, 2006 was retitled FISCAL ORDINANCE NO. 35, 2006, and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 35, 2006**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Nine Hundred Thousand Dollars (\$900,000) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Community Economic Development Division and reducing certain other accounts for that agency.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Community Economic Development Division, to award funding from the Housing Trust, a subfund of the Consolidated County Fund, for affordable housing opportunities for low-income families in Marion County, financed by fund balance.

SECTION 2. The sum of Nine Hundred Thousand Dollars (\$900,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

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SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY ECONOMIC DEVELOPMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	900,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	900,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>900,000</u>
TOTAL REDUCTION	900,000

SECTION 5. The projected December 31, 2006, fund balance for the Consolidated County Fund, as of March 13, 2006, is as follows:

Projected fund balance at the end of 2005	24,059,565
Estimated 2006 revenues (includes previously-approved revisions)	<u>59,388,477</u>
Total Funds Available	83,448,042
2006 appropriations (includes previously-approved revisions)	61,966,936
Proposed additional appropriation (this proposal)	<u>900,000</u>
Total Requirements	62,866,936
<b>Estimated Fund Balance December 31, 2006</b>	<b>20,581,106</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 178, 2006. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 178, 2006 on April 10, 2006. The proposal, sponsored by Councillors Mahern, Keller, Conley, Randolph and Brown, approves an appropriation of \$792,000 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Redevelopment General Fund) to support high technology activities within the Certified Technology Park (CTP), which funds will specifically be used to make streetscape improvements along West 16th Street between Alonzo Watford Drive and Stadium Drive and for improvements to the combined sanitary and stormwater sewer between 10th and 11th Streets near Senate Avenue, financed by fund balance in the Certified Technology Park subfund of the Redevelopment General Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:50 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Conley, for adoption. Proposal No. 178, 2006 was adopted on the following roll call vote; viz:

25 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*  
0 NAYS:  
1 NOT VOTING: *Gibson*  
3 ABSENT: *Franklin, Langsford, Talley*

Proposal No. 178, 2006 was retitled FISCAL ORDINANCE NO. 36, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Seven Hundred Ninety Two Thousand Dollars (\$792,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Community Economic Development Division and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Community Economic Development Division, to support high technology activities within the Certified Technology Park (CTP), financed by gross retail incremental taxes paid by businesses, and by income tax incremental amounts paid by employees working within the CTP. Specifically, these funds will be used to make streetscape improvements along West 16<sup>th</sup> Street between Alonzo Watford Drive to Stadium Drive (\$592,000) and improvements to the combined sanitary and stormwater sewer between 10<sup>th</sup> and 11<sup>th</sup> Streets near Senate Avenue (\$200,000), for a total appropriation of \$792,000, financed by fund balance in the CTP subfund of the Redevelopment General Fund.

SECTION 2. The sum of Seven Hundred Ninety Two Thousand Dollars (\$792,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY ECONOMIC DEVELOPMENT DIVISION</u>	<u>REDEVELOPMENT GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	792,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	792,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>REDEVELOPMENT GENERAL FUND</u>
Unappropriated and Unencumbered	
Redevelopment General Fund	<u>792,000</u>
TOTAL REDUCTION	792,000

SECTION 5. The projected December 31, 2006, fund balance for the Redevelopment General Fund, as of March 13, 2006, is as follows:

Projected fund balance at the end of 2005	8,719,655
Estimated 2006 revenues (includes previously-approved revisions)	<u>1,914,905</u>
Total Funds Available	10,634,560
2006 appropriations (includes previously-approved revisions)	1,952,933
Proposed additional appropriation (this proposal)	<u>792,000</u>
Total Requirements	2,744,933
<b>Estimated Fund Balance December 31, 2006</b>	<b>7,889,627</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 179, 2006. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 179, 2006 on April 10, 2006. The proposal, sponsored by Councillors Mahern, Keller, Conley, Randolph and Brown, approves an appropriation of \$518,820 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Federal Grants Fund) to reappropriate carryover funds from a

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prior year grant from the US Department of Housing and Urban Development (HUD) for Housing Opportunities for Persons with Aids (HOPWA), and for a new Neighborhood Initiatives grant also funded by HUD. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Gibson, for adoption. Proposal No. 179, 2006 was adopted on the following roll call vote; viz:

*22 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Speedy*

*4 NAYS: Cain, Cockrum, Salisbury, Schneider*

*0 NOT VOTING:*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 179, 2006 was retitled FISCAL ORDINANCE NO. 37, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Five Hundred Eighteen Thousand Eight Hundred Twenty Dollars (\$518,820) in the Federal Grants Fund for purposes of the Department of Metropolitan Development, Community Economic Development Division and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Community Economic Development Division to reappropriate carryover funds from a prior year grant from the U.S. Department of Housing and Urban Development (HUD) for Housing Opportunities for Persons with Aids (HOPWA)x, and for a new Neighborhood Initiatives grant also funded by HUD.

SECTION 2. The sum of Five Hundred Eighteen Thousand Eight Hundred Twenty Dollars (\$518,820) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT COMMUNITY ECONOMIC DEVELOPMENT DIVISION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	518,820
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	518,820

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	518,820
TOTAL REDUCTION	518,820

SECTION 5. There are no matching funds required.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the

appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 180, 2006. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 179, 2006 on April 10, 2006. The proposal, sponsored by Councillors Mahern, Nytes and Conley, approves an appropriation of \$195,317 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Non-lapsing State Grants Fund) to administer five State of Indiana grants providing for 1) petroleum remediation at 838 North Delaware Street, 2) environmental assessment activities within the neighborhoods of Martindale/Brightwood, Fall Creek Place, and Clayton-LaSalle Park, 3) environmental remediation at the Keystone Enterprise Park, 4) environmental remediation at the former Spickelmier concrete manufacturing site, and 5) additional environmental assessments at West 16th and Dr. Martin Luther King Streets. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:55 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Nytes, for adoption. Proposal No. 180, 2006 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*

*0 NAYS:*

*0 NOT VOTING:*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 180, 2006 was retitled FISCAL ORDINANCE NO. 38, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating One Hundred Ninety Five Thousand Three Hundred Seventeen Dollars (\$195,317) in the Non-lapsing State Grants Fund for purposes of the Department of Metropolitan Development, Community Economic Development Division and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Community Economic Development Division to administer five State of Indiana grants providing for 1) petroleum remediation at 838 North Delaware Street, 2) environmental assessment activities within the neighborhoods of Martindale Brightwood, Fall Creek Place and Clayton-LaSalle Park, 3) environmental remediation at the Keystone Enterprise Park, 4) environmental remediation at the former Spickelmier concrete manufacturing site at 1114 E. 52nd St, and ,5) additional environmental assessments at West 16<sup>th</sup> Street and Dr. Martin Luther King Street.

SECTION 2. The sum of One Hundred Ninety Five Thousand Three Hundred Seventeen Dollars (\$195,317) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.



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SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>COMMUNITY ECONOMIC DEVELOPMENT DIVISION</u>	<u>NON-LAPSING STATE GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	195,317
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	195,317

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>NON-LAPSING STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-lapsing State Grants Fund	<u>195,317</u>
TOTAL REDUCTION	195,317

SECTION 5. There is no cash match required for these grants. However, the two Stipulated Assessment Grant Initiatives for Spickelmier and 16th and MLK require that 75% of the grant amount will be invested into the property within the next two years. The City is confident that private investments in the two properties will occur after the sites are cleaned up, sufficient to more than meet the State's match requirement.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 191, 192, 194, 196 and 197, 2006 on March 29, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 191, 2006. The proposal, sponsored by Councillors Brown, Plowman, Conley, Oliver, Franklin, Moriarty Adams, Randolph and Gray, approves an increase of \$2,500,000 in the 2006 Budget of the Department of Public Safety, Fire Division (City Cumulative Capital Fund) to purchase fire apparatus, financed by fund balance. PROPOSAL NO. 192, 2006. The proposal, sponsored by Councillors Moriarty Adams, Conley, Randolph and Brown, approves an increase of \$500,000 in the 2006 Budget of the Department of Public Safety, Police Division (State Law Enforcement Fund) to purchase vehicles, financed by state forfeiture revenues. PROPOSAL NO. 194, 2006. The proposal, sponsored by Councillors Moriarty Adams, McWhirter, Conley, Randolph and Brown, approves the transfer and new appropriation of \$662,993 in the 2006 Budget of the Department of Public Safety, Emergency Management Planning Division (Non-lapsing Federal Grants Fund) to fund a contract with the Marion County Health and Hospital Corporation to implement the Metropolitan Medical Response System, financed by a transfer between characters for an existing grant and new 2006 appropriations from fund balance. PROPOSAL NO. 196, 2006. The proposal, sponsored by Councillors Moriarty Adams, Borst and Conley, approves an increase of \$82,500 in the 2006 Budget of the Marion County Superior Court (County Grants Fund) to pay for a portion of the salaries and benefits of the Drug Treatment Court and the Community Court, funded by a Marion County Drug Free grant. PROPOSAL NO. 197, 2006. The proposal, sponsored by Councillors Moriarty Adams, Borst and Randolph, approves an increase of \$20,000 in the 2006 Budget of the Marion County Superior Court (State and Federal Grants Fund) to cover the salary of the community work

service coordinator for Community Court, funded by a Weed and Seed grant. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 9:03 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 191, 192, 194, 196 and 197, 2006 were adopted on the following roll call vote; viz:

25 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*

0 NAYS:

1 NOT VOTING: *Nytes*

3 ABSENT: *Franklin, Langsford, Talley*

Proposal No. 191, 2006 was retitled FISCAL ORDINANCE NO. 39, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating an additional Two Million Five Hundred Thousand Dollars (\$2,500,000) in the City Cumulative Capital Fund for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2006 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to purchase fire apparatus, financed by fund balance.

SECTION 2. The sum of Two Million Five Hundred Thousand Dollars (\$2,500,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

	<u>CITY CUMULATIVE CAPITAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	2,500,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	2,500,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CITY CUMULATIVE CAPITAL FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Fund	<u>2,500,000</u>
TOTAL REDUCTION	2,500,000

SECTION 5. The projected December 31, 2006, fund balance for the City Cumulative Capital Fund is as follows:

Projected fund balance at the end of 2005	5,866,059
Estimated 2006 revenues (includes previously-approved revisions)	<u>9,985,279</u>
Total Funds Available	15,851,338

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2006 appropriations (includes previously-approved revisions)	11,356,472
Proposed additional appropriation (this proposal)	<u>2,500,000</u>
Total Requirements	13,856,472
<b>Estimated Fund Balance December 31, 2006</b>	<b>1,994,866</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 192, 2006 was retitled FISCAL ORDINANCE NO. 40, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating an additional Five Hundred Thousand Dollars (\$500,000) in the State Law Enforcement Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the State Law Enforcement Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2006 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to purchase vehicles, financed by state forfeitures revenues.

SECTION 2. The sum of Five Hundred Thousand Dollars (\$500,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY  
POLICE DIVISION

1. Personal Services  
2. Supplies  
3. Other Services and Charges  
4. Capital Outlay  
5. Internal Charges  
TOTAL INCREASE

<u>STATE LAW ENFORCEMENT FUND</u>	
	0
	0
	0
	500,000
	<u>0</u>
	500,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE LAW ENFORCEMENT FUND</u>
Unappropriated and Unencumbered	
State Law Enforcement Fund	<u>500,000</u>
TOTAL REDUCTION	500,000

SECTION 5. The projected December 31, 2006, fund balance for the State Law Enforcement Fund is as follows:

Projected fund balance at the end of 2005	1,147,444
Estimated Revenues to be received in 2006	<u>457,331</u>
Total Funds Available	1,604,775
Approved 2006 appropriations	300,000
Proposed additional appropriation (this proposal)	<u>500,000</u>
Total Requirements	800,000
<b>Estimated Fund Balance December 31, 2006</b>	<b>804,775</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 194, 2006 was retitled FISCAL ORDINANCE NO. 41, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) transferring and appropriating an additional Six Hundred Sixty Two Thousand Nine Hundred Thirty-three Dollars (\$662,933) in the Non-lapsing Federal Grants fund for purposes of the Department of Public Safety, Emergency Management Planning Division, and reducing the unappropriated and unencumbered balance in the Non-lapsing Federal Grants fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2006 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management Planning Division, to fund a contract with the Marion County Health and Hospital Corporation to implement the Metropolitan Medical Response System, financed by a transfer between characters for an existing grant, and new 2006 appropriations from fund balance.

SECTION 2. The sum of Six Hundred Sixty Two Thousand Nine Hundred Thirty-three Dollars (\$662,933) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

EMERGENCY MANAGEMENT PLANNING DIVISION    NON-LAPSING FEDERAL GRANTS FUND

1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	662,933
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	662,933

SECTION 4. The said additional appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY

EMERGENCY MANAGEMENT PLANNING DIVISION    NON-LAPSING FEDERAL GRANTS FUND

1. Personal Services	0
2. Supplies	96,314
3. Other Services and Charges	0
4. Capital Outlay	106,697
5. Internal Charges	<u>0</u>
TOTAL DECREASE	203,011

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>459,922</u>
TOTAL REDUCTION	459,922

SECTION 5. There is no local match required.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 196, 2006 was retitled FISCAL ORDINANCE NO. 42, 2006, and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 42, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Eighty Two Thousand Five Hundred Dollars (\$82,500) in the County Grant Fund for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (f) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay for a portion of salaries and benefits for the Drug Treatment Court and the Community Court.

SECTION 2. The sum of Eighty Two Thousand Five Hundred Dollars (\$82,500) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	<u>82,500</u>
TOTAL INCREASE	82,500

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>82,500</u>
TOTAL REDUCTION	82,500

SECTION 5. No Local Match.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 197, 2006 was retitled FISCAL ORDINANCE NO. 43, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Twenty Thousand Dollars (\$20,000) in the State and Federal Grant Fund for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (f) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay for the salary of the community work service coordinator for Community Court..

SECTION 2. The sum of Twenty Thousand Dollars (\$20,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
I. Personal Services	<u>20,000</u>
TOTAL INCREASE	20,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>20,000</u>
TOTAL REDUCTION	20,000

SECTION 5. No Local Match.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 165, 2006. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 165, 2006 on April 12, 2006. The proposal, sponsored by Councillor Nytes, is an inducement resolution for Camby Woods, L.P. in an amount not to exceed \$14,000,000 which consists of the construction of a 220-unit apartment complex to be known as Camby Woods Apartments located at 7700 Camby Road (District 22). By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Salisbury stated that there has been a change in the state law to take low income housing developments off the tax rolls. He asked if that is the case with this development. Councillor Nytes said that this developer expects to pay property taxes.

Councillor Cockrum said that the neighbors in this area do not oppose the project, but they want orderly growth in the township and need more economic development projects. He asked Councillors to support the neighborhood and oppose this proposal.

Councillor Borst said that the minutes indicated a state statute and some reduction in assessments. Councillor Nytes stated that some units appealed their assessments and some saw a reduction, but this was mostly due to inappropriate over-assessments being adjusted through the appeal process. Councillor Borst asked if this was a Decatur Township Assessment. Councillor Nytes said that the assessment was through the Decatur Township Assessor's office.

Councillor Schneider said that he also opposes this proposal because this financing mechanism should not be used for new construction, but rather for properties in need of rehabilitation.

Councillor Speedy asked for consent to abstain due to a conflict of interest. Consent was given.

Councillor Mansfield said that this financing mechanism is also a good tool and can be used for affordable housing projects.

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Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 165, 2006 failed due to the following indecisive vote; viz:

*14 YEAS: Abdullallah, Bowes, Boyd, Brown, Conley, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders*

*11 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, McWhirter, Plowman, Randolph, Salisbury, Schneider*

*1 NOT VOTING: Speedy*

*3 ABSENT: Franklin, Langsford, Talley*

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 100, 2006. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 100, 2006 on April 12, 2006. The proposal, sponsored by Councillors Nytes, Gibson, Gray, Brown and McWhirter, imposes a county economic development income tax on the adjusted gross income of county taxpayers. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Nytes moved, seconded by Councillor Sanders, to strike. Proposal No. 100, 2006 was stricken by a unanimous voice vote.

PROPOSAL NO. 168, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 168, 2006 on April 4, 2006. The proposal, sponsored by Councillors Sanders, Conley and Plowman, approves a transfer of \$90,000 in the 2006 Budget of the Marion County Election Board (County General Fund) to cover the projected shortfall in supplies and services for the primary election, financed by a transfer between characters. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 168, 2006 was adopted on the following roll call vote; viz:

*25 YEAS: Abdullallah, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*

*0 NAYS:*

*1 NOT VOTING: Borst*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 168, 2006 was retitled FISCAL ORDINANCE NO. 44, 2006, and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 44, 2006**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) transferring and appropriating Ninety Thousand Dollars (\$90,000) in the Marion County General Fund for purposes of the Marion County Election Board and reducing certain other appropriations for that agency.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (a) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Election Board to cover the projected shortfall in supplies and services for the primary election.

SECTION 2. The sum of Ninety Thousand Dollars (\$90,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY ELECTION BOARD</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	20,000
3. Other Services and Charges	<u>70,000</u>
TOTAL INCREASE	90,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY ELECTION BOARD</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>90,000</u>
TOTAL DECREASE	90,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 184, 2006. Councillor Brown reported that the Parks and Recreation Committee heard Proposal No. 184, 2006 on April 13, 2006. The proposal, sponsored by Councillors Moriarty Adams, Gray, Brown, Conley, Talley and Randolph, amends Chapter 631, Article 1 of the Revised Code to add a new section limiting access of persons required to and or listed on the Indiana State Sex Offender Registry, as a result of a conviction of a child related offense, to public park facilities and playground areas. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Brown moved, seconded by Councillor Mahern, for adoption.

Councillor Bradford said that there were no minutes distributed for this meeting, and he is assuming that is due to a staff member leaving, but he would like to see further amendments for the proposal to make it a bit more strict. He moved, seconded by Councillor Schneider, to return Proposal No. 184, 2006 to committee.

Councillor Moriarty Adams said that she is opposed to making the ordinance any more strict, as that will infringe on constitutional rights.

Councillor Plowman said that he is not sure this proposal as written is exactly legal, and a \$300 fine is not punishment enough. He said he would also like to see further amendments.

Councillor Gibson said that the City-County Council cannot impose criminal action proceedings, only civil action. He said that the committee was advised that this proposal as written will stand up to constitutional muster. He said that children need to be protected now.

Councillor Schneider said that he would also like to be able to read the minutes from the meeting and would like to see the proposal strengthened, and he supports the motion to return the proposal to committee.

Councillor Oliver said that it is appalling that this Council would be soft on protecting children. He said that he supports the proposal and it needs to be passed tonight.

Councillor Bradford said that he agrees that children need to be protected and he thinks it needs to be stricter. He said that a convicted felon cannot vote, so why cannot they be excluded entirely from parks without infringing on their constitutional rights.

Councillor Brown said that the Parks meeting was held the day before a holiday, and the clerk for the committee has left employment with the Council, and that is why there were no minutes. He said if there are unanswered questions, he would be more than happy to answer them now.



Councillor Salisbury said that he finds the proposal very weak and wonders how 13 to 14 park rangers can enforce it. He said that there are so many enforcement issues and this will fall into the same category as illegal gambling.

Kobi Wright, Corporation Counsel, said that Plainfield enacted an outright ban against sexual predators in parks and this is currently held as unconstitutional. He said that they wanted to provide safeguards that would prove constitutional, such as the ban in West Lafayette, which was narrowly tailored and a little less restrictive. He said that there are actually 22 park rangers.

Councillor Borst said that instead of having just an adult person accompany an offender, it should maybe be law enforcement personnel instead. He said that an adult predator who has not been convicted, could accompany the offender, and the children would still be in danger. Mr. Wright said that this would be too big a burden on City personnel and would go too far and probably be thrown out.

Councillor Pfisterer said that she supports the concept but feels the proposal needs more teeth. She said that she would like to see enforceability strengthened. Mr. Wright said that an all-out ban is not possible and would not hold up to constitutional scrutiny.

Councillor Bowes said that convicted felons are allowed the right to vote, simply not those who are incarcerated. He said that he wanted to correct that information provided earlier by Councillor Bradford.

Proposal No. 184, 2006 was returned to committee on the following roll call vote; viz:

*15 YEAS: Abdullah, Borst, Bradford, Cain, Cockrum, Day, Keller, McWhirter, Nytes, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*

*11 NAYS: Bowes, Boyd, Brown, Conley, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Oliver, Sanders*

*0 NOT VOTING:*

*3 ABSENT: Franklin, Langsford, Talley*

Councillor Brown invited all Councillors with an interest to show up at the committee hearing to voice their concerns.

Councillor Moriarty Adams asked when minutes from the meeting will be available. President Gray said that he will see that they are distributed as soon as possible.

PROPOSAL NO. 190, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 190, 2006 on March 29, 2006. The proposal, sponsored by Councillors Brown, Conley, Oliver, Franklin, Moriarty Adams and Gray, clarifies and establishes fees for various inspections and services provided by the Indianapolis Fire Department, and converts from service charges to civil penalties the amounts imposed for the issuance of an excessive number of false fire alarms. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal No. 190, 2006 was adopted on the following roll call vote; viz:

19 YEAS: *Abduallah, Borst, Bowes, Boyd, Brown, Cockrum, Conley, Day, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Speedy*  
1 NAYS: *Schneider*  
6 NOT VOTING: *Bradford, Cain, Gibson, Gray, Plowman, Randolph*  
3 ABSENT: *Franklin, Langsford, Talley*

Proposal No. 190, 2006 was retitled GENERAL ORDINANCE NO. 36, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 2006

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to clarify and establish fees for various inspections and services provided by the Indianapolis Fire Department, and to convert from service charges to civil penalties the amounts imposed for the issuance of an excessive number of false fire alarms.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 591-222 of the "Revised Code of the Consolidated City and County," regarding fire inspections, hereby is amended by the addition of the language that is underscored, to read as follows:

**Sec. 591-222. Fire inspections; fees.**

(a) Each fire department shall perform inspections under the administrative supervision of the fire chief pursuant to IC 36-8-17.

(b) Each fire department may, as often as may be reasonably necessary:

- (1) Inspect every place and public way, except the interiors of private dwellings; and,
- (2) Inspect, upon receipt of a complaint, any building or premises, except interiors of private dwellings.

(c) For Indianapolis Fire Department inspections of fire protection systems that are performed solely in response to the request of the owner or occupant of a building or structure, the fee shall be twenty-five dollars (\$25.00) per hour.

(d) Following the first inspection and first reinspection, if any, performed by the Indianapolis Fire Department in a twelve-month period, the fee for each subsequent reinspection performed as part of the enforcement procedures under Division 4 of this Article shall be eighty dollars (\$80.00).

SECTION 2. Section 591-401 of the "Revised Code of the Consolidated City and County," regarding plans for fire protection systems, hereby is amended by the addition of the language that is underscored, to read as follows:

**Sec. 591-401. Plans for fire protection systems; inspection fee.**

(a) In the event a set of plans and specifications for fire protection systems, including fire alarm systems, automatic sprinkler systems, standpipe systems, and other special types of fire extinguishing or detecting systems and appurtenances thereto is created, then such documents shall be submitted to the servicing fire department for information purposes. Failure to submit such documents as required by this section shall constitute a violation of the Code.

(b) For Indianapolis Fire Department inspections of fire protection systems for which plans and specifications are submitted under this section, the fee shall be one hundred dollars (\$100.00).

SECTION 3. Section 801-206 of the "Revised Code of the Consolidated City and County," regarding payment of license fees, receipts, deposits and exemptions, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

**Sec. 801-206. Payment of fees; receipt; deposit; exemptions.**

(a) Prior to the issuance or renewal of a license, the applicant shall pay all fees required by this Code, as follows:

- (1) For annual licenses which expire on a calendar date stated in this Code:
    - a. The license fee for the entire term shall be paid if the license is applied for and issued more than six (6) months prior to the date of expiration;
    - b. One-half of the annual license fee shall be paid if the license is applied for and issued three (3), four (4), or five (5) months prior to the date of expiration; and
    - c. One-fourth of the annual license fee shall be paid if the license is applied for and issued one (1), two (2), or three (3) months prior to the date of expiration; ~~and~~
  - (2) For all other licenses, the license fee for the entire term of the license shall be paid; and.
  - (3) For all licenses which relate to real estate, any applicable zoning, building, or fire code inspection fees.
- (b) Whenever a license is not issued at the time of application, the applicant shall pay the fee in advance, and the controller shall issue a receipt to the applicant for the fee and all other required charges. The receipt shall not be construed as approval of the application.
- (c) Except where otherwise expressly provided, all fees and other charges collected by the controller under Title IV of this Code shall be deposited in the ~~general~~ fire service district fund of the city as miscellaneous revenues, and shall be deemed a reimbursement to the city for its expenses in the issuance of licenses and the enforcement of the provisions of this Code. Notwithstanding the foregoing, all fire inspection fees collected by the controller for inspections conducted by the Indianapolis Fire Department shall be deposited in the fire service district fund.
- (d) Notwithstanding the provisions of subsection (a) of this section, the controller may issue licenses to any not-for-profit organization to conduct a licensed business for a public, charitable, educational, literary, fraternal, religious or other not-for-profit purpose, without the licensee having to pay any license fee or other charges required by this Code.

SECTION 4. Section 811-704 of the "Revised Code of the Consolidated City and County," regarding faulty fire alarms, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

**Sec. 811-704. Faulty alarms.**

- (a) ~~Whenever a fire department responds to~~ It shall be unlawful for a person who owns or controls property in the city on which a manual or automatic fire alarm system is monitored to issue, cause to be issued, or permit the issuance of an automatic fire alarm or medical alarm at a premise or building more than three (3) times one (1) time in a ninety-day twelve-month period;
- (1) ~~Due to improper alarm installation, lack of maintenance, servicing, inadvertent activation, or failure to notify the fire department of a drill or test, a service charge shall be imposed; and~~
  - (2) Resulting in the deployment of fire department apparatus and personnel to the property.
- Provided, however, a calculation of the number of faulty alarms under this section shall not include any faulty alarm issued within thirty (30) days after the date the alarm system is first monitored.
- (b) A person who owns or controls property on which an alarm system is monitored shall be subject to the following procedures and penalties for a faulty alarm under this section:
- (1) For the first response in a twelve-month period, the person shall receive a written warning from the servicing fire department;
  - (2) For a the second, third, and fourth response responses in a ninety-day twelve-month period, the service charge shall be fifty dollars (\$50.00); the person shall be subject to the enforcement procedures provided in Chapter 103, Article III of this Code;
  - (3) For a fifth response in a ninety-day twelve-month period, the service charge shall be seventy five dollars (\$75.00); the person shall be subject to the general penalties provided in Section 103-3 of this Code; however, the penalty for each such violation shall not be less than one hundred dollars (\$100.00); and

- (4) For sixth and subsequent responses in a ~~ninety-day~~ twelve-month period, ~~the service charge shall be one hundred dollars (\$100.00)~~ the person shall be subject to the general penalties provided in Section 103-3 of this Code; however, the penalty for each such violations shall not be less than two hundred dollars (\$200.00).

- (e) ~~Such service charges shall be payable to the servicing fire department.~~

SECTION 5. Section 103-52 of the "Revised Code of the Consolidated City and County," regarding the ordinance violations bureau's schedule of code provisions and penalties, hereby is amended by the addition of the language that is underscored, to read as follows:

**Sec. 103-52. Schedule of Code provisions and penalties.**

The following Code (or ordinance) provisions and their respective civil penalties are designated for enforcement through the ordinance violations bureau:

<i>Code Section</i>	<i>Subject Matter</i>	<i>Civil Penalty</i>
321-1	Swimming in unguarded waters - first offense in calendar year	50.00
361-108	Littering on premises of another	45.00
361-201	Vehicle losing its load--First offense in calendar year	50.00
391-302	Unlawful noise--First offense in calendar year	50.00
391-303	Noisy house--First offense in calendar year	50.00
407-103	Loitering--First offense in calendar year	50.00
431-108	Parking prohibited for street repairs and cleaning	20.00
431-314	Premises address violation--Second offense in calendar year	25.00
431-602	Bicycles--Second and subsequent violations regarding children under twelve	50.00
431-603	Unlawful operation of bicycle--First violation	50.00
431-702	Prohibited activity in roadways--First violation in twelve-month period	25.00
431-703	Interference with vehicular traffic--First violation in twelve-month period	25.00
441-108	Pedestrian violations	12.50
441-214	Parking when temporarily prohibited	20.00
441-318	Unlawful use of horn or sounding device	15.00
441-363	Unlawfully parked trailer	20.00
441-407	Display of unauthorized traffic controls	15.00
441-408	Interference with traffic control devices	15.00
441-503	Consumption or possession by operator of motor vehicle— First offense in calendar year	50.00
441-504	Operating motor vehicle containing open alcoholic beverages— First offense in calendar year	50.00
511-702	Open burning	50.00
531-102	Animal at large--First offense in twelve-month period	50.00
611-403	Unlawful loading or unloading of private bus	15.00
611-501	Unlawful stopping of food vendor vehicle	15.00
611-502	Violation of noise restriction on food vendors	15.00
611-504	Failure of food vending vehicle to display required warnings	15.00
611-506	Unlawful vending from other than curbside of vending vehicle	15.00
621-106	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
621-107	Unlawful parking in certain school areas	20.00
621-108	Unlawful manner of parking	20.00
621-109	No required lights on certain parked vehicles	20.00
621-110	Violation of handicapped parking restrictions	100.00
621-111	Unlawful parking in handicapped parking meter zone	100.00
621-112	Unloading perpendicular to curb without permit	20.00
621-113	Unlawful use of bus stops and taxicab stands	20.00
621-114	Unlawful use of passenger and loading zones	20.00
621-115	Unlawful parking adjacent to certain buildings	20.00
621-116	Unlawful parking for display for sale or advertising	20.00
621-117	Unlawful parking for more than six (6) hours	20.00
621-118	Unlawful parking of commercial vehicles at night	20.00
621-119	Unlawful parking in alleys or on certain narrow streets	20.00
621-120	Unlawful parking in designated special parking areas	20.00
621-121	Parking on certain streets where prohibited at all times	20.00
621-122	Stopping, standing or parking on streets where prohibited at all times	20.00

621-123	Parking on certain streets where prohibited at all times on certain days	20.00
621-124	Parking on certain streets when prohibited at certain times on certain days	20.00
621-125	Stopping, standing or parking during prohibited hours on certain days on certain streets	25.00
621-126	Parking longer than permitted on certain streets at certain times on certain days	20.00
621-203	Parking in excess of time permitted in parking meter zone	20.00
621-210	Parking in meter zone when temporarily prohibited	20.00
621-216	Overtime parking in metered parking space	20.00
621-306	Unlawful parking during snow emergency	25.00
621-404	Leaving taxicab unattended	20.00
621-405	Unlawful parking in certain mailbox zones	20.00
621-430(a)	Unlawful use of loading zone in Regional Center by non-eligible vehicle	25.00
621-430(b)	Unlawful use of loading zone in Regional Center--Non-permitted use	25.00
621-430(c)	Unlawful use of loading zone in Regional Center in excess of posted time limits	25.00
621-430(d)	Unlawful obstructing traffic in the Regional Center	25.00
621-430(e)	Unlawful parking in alleys or on certain narrow streets in the Regional Center	25.00
621-501	Unlawful stopping, standing or parking near fire hydrant	75.00
621-502	Unlawful obstruction of fire lane	75.00
631-102	In park after hours--First offense in calendar year	50.00
631-109	Alcohol in park--First offense in calendar year	50.00
645-528	Skateboard or similar play device--First offense in calendar year	50.00
730-505	Civil zoning violations--First offense in calendar year	50.00
811-214	Alarm business failure to report monitoring information	100.00
811-311	First false alarm in calendar year after a year in which a warning was issued	25.00
811-311	Second false alarm in same calendar year as warning	25.00
811-311	Second false alarm in all other calendar years	50.00
811-311	Third false alarm in same calendar year as warning	50.00
811-311	Third false alarm in all other calendar years	75.00
811-311	Fourth false alarm in same calendar year as warning	75.00
811-311	Fourth false alarm in all other calendar years	100.00
<u>811-704</u>	<u>Second faulty fire alarm in twelve-month period</u>	<u>25.00</u>
<u>811-704</u>	<u>Third faulty fire alarm in twelve-month period</u>	<u>50.00</u>
<u>811-704</u>	<u>Fourth faulty fire alarm in twelve-month period</u>	<u>75.00</u>
Ch. 895	Horse-drawn carriage violation--First offense in twelve-month period	100.00
Ch. 903	Pedal cab violation--First offense in twelve-month period	100.00
931-305	Excessive parking charge at commercial parking facility-- First offense in twelve-month period	100.00
996-77	No monthly taxicab certificate--First offense in twelve-month period	25.00
996-123	Failure to maintain public vehicle for hire--First offense in twelve-month period	25.00
996-124	Taxicab operator dress code violation--First offense in twelve-month period	25.00
996-126	Failure to display licenses or fare schedule--First offense in twelve-month period	25.00
996-138	Taxicab operator exceeding limitation on hours--First offense in twelve-month period	25.00

SECTION 6. Section 961-503 of the "Revised Code of the Consolidated City and County," regarding special event licenses and fees, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

**Sec. 961-503. Special event licenses; fee.**

(a) With the assistance and recommendation of the special event sponsor, the controller is authorized to issue special event licenses, and may:

- (1) Designate a specific location for each licensee under this article to engage in licensed activities pursuant to this section; and
- (2) Approve a list of the food, frozen food, flowers and merchandise which licensees under this article are authorized to sell.

(b) The fee for a special event license shall be twenty-five dollars (\$25.00); however, if authorization of the special event under Section 961-502 of the Code is conditioned upon the Indianapolis Fire Department's apparatus or personnel being present at the special event, then the fee for a special event license shall be increased by an additional one hundred dollars (\$100.00), which additional amount shall be deposited in the fire service district fund of the city as miscellaneous revenues.

~~(b)~~ Notwithstanding any other provision of this Code, licensees under this article shall be permitted to engage in licensed activities upon city property within the geographic boundaries during the term of the special event, subject to any applicable conditions or restrictions imposed under this article or sections

961-211 and 961-212.

SECTION 7. Section 961-204 of the "Revised Code of the Consolidated City and County," regarding vendor cart license application fees, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

**Sec. 961-204. Application fee; refund on denial.**

(a) Each application for a license pursuant to this article shall be accompanied by an application fee in an amount as follows:

- (1) For a franchise zone license, one hundred fifty dollars (\$150.00); and
- (2) For a commercial transaction zone license; one hundred dollars (\$100.00); ~~and~~
- (3) ~~For a licensee's first special event license in a calendar year, fifty dollars (\$50.00), and for a licensee's second and each subsequent special event license in a calendar year, twenty-five dollars (\$25.00).~~

(b) In the event the license is granted, the application fee shall be retained by the controller as the first annual fee. In the event of a denial of the license, fifty dollars (\$50.00); ~~or twenty-five dollars (\$25.00) in the case of a special event license~~, of the application fee shall be retained to defray the administrative expense incurred in investigating and processing the application, and the remainder, if any, shall be refunded to the applicant.

SECTION 8. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 9. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 10. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Schneider asked for consent to explain his vote. Consent was given. He said although this proposal contains some good things, most of the things covered in it are standard tax-funded activities.

Councillor Mansfield stated that she has concerns about so many Councillors leaving before the agenda has been completed without Chair approval. President Gray agreed and said that Councillors will receive a memo regarding the policy and if Councillors do not receive permission to leave early, they will forfeit their pay for the meeting.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 193, 195 and 198, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 193, 2006. Councillors Moriarty Adams, McWhirter, Conley, Randolph and Brown, approves the issuance of one or more series of Indianapolis Public Safety Communication Systems and Computer Facilities District notes in an aggregate principal amount not to exceed \$5,000,000, and approves and authorizes other actions in respect thereto. PROPOSAL NO. 195, 2006. The proposal, sponsored by Councillors Moriarty Adams, Conley, Randolph and Brown, approves an appropriation of \$20,485 in the 2006 Budget of the Marion County Public Defender Agency (County Grants Fund) to fund a portion of a contract between the Marion County Public

Defender Agency and the Midtown Community Mental Health Center, for mental health and addiction services for inmates in the Marion County Jail and the Wishard Hospital Detention Unit, financed by a grant from Drug Free Marion County. PROPOSAL NO. 198, 2006. The proposal, sponsored by Councillors Moriarty Adams and Borst, approves a transfer of \$150,000 in the 2006 Budget of the Marion County Superior Court (County General Fund) to meet their payment obligations for ongoing subscriptions necessary to accommodate the public law library in Indianapolis. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption.

Councillor Borst if the \$5 million previous and upcoming match were for township radios. Barbara Lawrence, executive director of the Indianapolis Bond Bank, stated that there were several grants in various phases, and one is a township match and one an Indianapolis Police Department grant. All radios have been matched or purchased.

Councillor Pfisterer asked if the \$12 million County Option Income Tax (COIT) increase revenue could have been used instead of incurring this indebtedness. Ms. Lawrence said that this money has already been identified for other public safety needs.

Proposal Nos. 193, 195 and 198, 2006 were adopted on the following roll call vote; viz:

*24 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy*

*0 NAYS:*

*2 NOT VOTING: Cain, Randolph*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 193, 2006 was retitled GENERAL RESOLUTION NO. 4, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 2006

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of Indianapolis Public Safety Communication Systems and Computer Facilities District notes in an aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Metropolitan Emergency Communications Agency ("MECA") Board ("Board"), being governed by the Indianapolis Public Safety Communication Systems and Computer Facilities District ("District") of the City of Indianapolis, Indiana ("City"), has determined that it is necessary to issue notes ("Notes"), in one or more series, of the District in the aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) for the purposes of procuring funds to apply to a local match for the Indianapolis Police Department grants, fund data system improvements and to cover preliminary costs associated with any of the projects that will ultimately be financed by the long-term bond issue, including the communications system upgrade, warning sirens, or any other project that MECA and the Board approve and including issuance costs of the Notes; and

WHEREAS, IC 36-8-15 requires the City-County Council to approve the issuance of bonds or notes by any special taxing district of the City; and

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the District, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank ("Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Notes in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that the issuance of the Notes by the District should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA;

SECTION 1. The City-County Council does hereby approve the issuance of the Notes, in one or more series, of the District in an aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) to apply on the costs of the Project, and hereby approves the sale of the Notes to the Bond Bank.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-8-15.

Proposal No. 195, 2006 was retitled FISCAL ORDINANCE NO. 45, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Twenty Thousand Four Hundred Eighty-five Dollars (\$20,485) in the County Grants Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the County Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (b) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender to fund a portion of a contract between the Marion County Public Defender Agency and the Midtown Community Mental Health Center, for mental health and addiction services for inmates in the Marion County jail and the Wishard Hospital Detention unit, financed by a grant from Drug Free Marion County.

SECTION 2. The sum of Twenty Thousand Four Hundred Eighty-five Dollars (\$20,485) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	20,485
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	20,485

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>20,485</u>
TOTAL REDUCTION	20,485

SECTION 5. No Local Match.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 198, 2006 was retitled FISCAL ORDINANCE NO. 46, 2006, and reads as follows:



April 17, 2006

CITY-COUNTY FISCAL ORDINANCE NO. 46, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) transferring One Hundred Fifty Thousand Dollars (\$150,000) in the County General Fund for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (f) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to purchase law reference material for the public law library.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>150,000</u>
TOTAL INCREASE	150,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	<u>150,000</u>
TOTAL REDUCTION	150,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-14.

PROPOSAL NO. 204, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 204, 2006 on April 6, 2006. The proposal, sponsored by Councillors Abdullah, Bradford and Conley, authorizes the Department of Public Works to test new parking meter technology on designated City streets notwithstanding certain provisions of the Revised Code regarding parking meters (Districts 3, 15). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 204, 2006 was adopted on the following roll call vote; viz:

23 YEAS: *Abdullah, Borst, Bowes, Boyd, Bradford, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy*  
0 NAYS:  
3 NOT VOTING: *Brown, Cain, Randolph*  
3 ABSENT: *Franklin, Langsford, Talley*

Proposal No. 204, 2006 was retitled GENERAL RESOLUTION NO. 5, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 2006

PROPOSAL FOR A GENERAL RESOLUTION to authorize the Department of Public Works ("DPW") to test new parking meter technology on designated City streets notwithstanding certain provisions of the Revised Code of the Consolidated City and County regarding parking meters,

WITNESSETH THAT:

WHEREAS, Chapter 621, Article II, of the Revised Code regulates vehicle parking in the City by establishing parking meter zones, and the time and rates to be charged for parking in spaces within those zones; and

WHEREAS, such Article provides that parking meter spaces are to be governed by single-space, coin-operated parking meters; and

WHEREAS, DPW desires to make improvements to its parking meter program that would, among other things, provide drivers with convenient payment options, decrease maintenance costs, and improve the aesthetic quality of City streets and sidewalks; and

WHEREAS, DPW believes those improvements may be accomplished through the use of new parking meter technology, namely, multi-space parking meters that accept alternate forms of payment; and

WHEREAS, DPW wishes to test the new parking meters, known as “pay-by-space” and “pay and display” meters, on a temporary basis on designated City streets; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Notwithstanding Sections 621-201, 621-208, and 621-209 of the Revised Code of the Consolidated City and County that pertain to the placement and mechanical operation of parking meters, as well as any other similar provisions in Chapter 621 or otherwise, the “pay-by-space” and “pay and display” meters used by DPW to conduct its test program and the parking spaces governed thereby shall be considered parking meters and parking meter spaces respectively for purposes of Chapter 621, Article II of the Revised Code. The restrictions and prohibitions contained therein and the penalties for violations thereof shall apply in equal force to parking in the designated test program locations. Such applicability shall include but is not limited to the duty of the owner or operator of a vehicle:

- (1) Not to park when parking is temporarily prohibited;
- (2) To park in the prescribed manner, unless otherwise directed by DPW;
- (3) To pay the parking charge for the period of desired parking in the manner and amount indicated on or near the meter when the rates for parking are in effect;
- (4) Not to remain parked beyond the time paid for or beyond the maximum time limit allowed; and
- (5) To respond to any notice of violation as provided in Articles I, III, or IV of Chapter 103 of the Revised Code.

SECTION 2. This Resolution shall apply only to parking spaces designated by DPW in the 100 block of South Illinois Street, the 400 block of West Washington Street, and the 800-900 block of Broad Ripple Avenue (between Guilford Ave. and Westfield Blvd.) only during the calendar year 2006.

SECTION 3. Within three (3) months following the termination of the test program authorized by this resolution, DPW shall file a report with the Council that contains its findings and conclusions about the new parking meter technology and that includes the amount of revenues collected during the test period.

SECTION 4. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 205-217, 2006 on April 6, 2006. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 205, 2006. The proposal, sponsored by Councillors Mansfield and Conley, authorizes intersection controls for the Crooked Creek Villages West Subdivision, Section 7 (District 2). PROPOSAL NO. 206, 2006. The proposal, sponsored by Councillors Randolph and Conley, authorizes intersection controls for the Hawthorne Meadows Subdivision, Section 1 (District 1). PROPOSAL NO. 207, 2006. The proposal, sponsored by Councillors Bradford and Conley, authorizes intersection controls for the intersection of 88th Street and Cholla Road

(District 3). PROPOSAL NO. 208, 2006. The proposal, sponsored by Councillors Schneider and Conley, authorizes intersection controls for the intersection of Sherman Drive and Sunny Lane (District 4). PROPOSAL NO. 209, 2006. The proposal, sponsored by Councillors Franklin, Conley and Brown, authorizes a change in intersection controls for the intersection of 42nd Place and Aspen Way (District 12). PROPOSAL NO. 210, 2006. The proposal, sponsored by Councillors Abdullah and Conley, authorizes a multi-way stop at the intersection of 25th Street and Pennsylvania Street (District 15). PROPOSAL NO. 211, 2006. The proposal, sponsored by Councillors Abdullah and Conley, authorizes multi-way stops at the intersections of 23rd Street and Talbott and 24th Street and Talbott (District 15). PROPOSAL NO. 212, 2006. The proposal, sponsored by Councillors Abdullah and Conley, authorizes parking meters on East Street between Wabash Street and Ohio Street (District 15). PROPOSAL NO. 213, 2006. The proposal, sponsored by Councillors Keller and Conley, authorizes parking restrictions on Harlan Street between Spann Avenue and English Avenue (District 16). PROPOSAL NO. 214, 2006. The proposal, sponsored by Councillors Brown and Conley, authorizes intersection controls for the Bells Run Subdivision, Section 1 (District 18). PROPOSAL NO. 215, 2006. The proposal, sponsored by Councillors Day and Conley, authorizes intersection controls for the intersection of Boyd Avenue and Gimber Street (District 20). PROPOSAL NO. 216, 2006. The proposal, sponsored by Councillors Cockrum and Conley, authorizes a change in the speed limit on Hanna Avenue between Brushwood Road and Lynhurst Drive (District 22). PROPOSAL NO. 217, 2006. The proposal, sponsored by Councillors Borst, Conley and Brown, authorizes a change in intersection controls for the intersection of Cresthaven Drive and Moonglow Lane (District 23). By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 205-217, 2006 were adopted on the following roll call vote; viz:

24 YEAS: *Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy*  
0 NAYS:  
2 NOT VOTING: *Cain, Randolph*  
3 ABSENT: *Franklin, Langsford, Talley*

Proposal No. 205, 2006 was retitled GENERAL ORDINANCE NO. 37, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-416, Schedule of intersection traffic controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10	Delmastro Ln. & Kentstone Dr.	Kentstone Dr.	Stop
10	Delmastro Ln. & Waterstone Dr.	Waterstone Dr.	Stop
10	Kentstone Dr. & Rodebaugh Rd.	Rodebaugh Rd.	Stop

10	Kentstone Dr. & Waterloo Dr.	Waterloo Dr.	Stop
10	Vance Ct. & Waterstone Dr.	Waterstone Dr.	Stop
10	Waterloo Dr. & Waterstone Dr.	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 206, 2006 was retitled GENERAL ORDINANCE NO. 38, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1	Cooper Rd & Thorn Bend Dr	Cooper Rd	Stop
1	Stones Ferry Way & Thorn Bend Dr	Thorn Bend Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 207, 2006 was retitled GENERAL ORDINANCE NO. 39, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4	88 <sup>th</sup> St Cholla Rd	88 <sup>th</sup> St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 208, 2006 was retitled GENERAL ORDINANCE NO. 40, 2006, and reads as follows:

April 17, 2006

CITY-COUNTY GENERAL ORDINANCE NO. 40, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	Sherman Dr Sunny Ln (N)	Sherman Dr	Stop
12	Sherman Dr Sunny Ln (S)	Sherman Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 209, 2006 was retitled GENERAL ORDINANCE NO. 41, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 41, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
20	42 <sup>nd</sup> Pl Aspen Way	Aspen Way	Yield

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
20	42 <sup>nd</sup> Pl Aspen Way	Aspen Way	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 210, 2006 was retitled GENERAL ORDINANCE NO. 42, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	25 <sup>th</sup> St Pennsylvania St	Pennsylvania St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	25 <sup>th</sup> St Pennsylvania St	Pennsylvania St	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 211, 2006 was retitled GENERAL ORDINANCE NO. 43, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	23 <sup>rd</sup> St Talbot St	Talbot St	Stop
25	24 <sup>th</sup> St Talbot St	Talbot St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	23 <sup>rd</sup> St Talbot St	Talbot St	All Way Stop
25	24 <sup>th</sup> St Talbot St	Talbot St	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 212, 2006 was retitled GENERAL ORDINANCE NO. 44, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

April 17, 2006

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

**ONE HOUR**

East Street, on the west side, from  
a point 18 feet north of Wabash Street  
to a point 121 feet north of Wabash Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 213, 2006 was retitled GENERAL ORDINANCE NO. 45, 2006, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 45, 2006**

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Harlan Street, on the east side, from  
A point 140 feet south of English Avenue to English Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 214, 2006 was retitled GENERAL ORDINANCE NO. 46, 2006, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 46, 2006**

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Bellchime Dr Lone Wolf Dr	Bellchime Dr	Stop
21	Bellchime Dr Pepperridge Dr	Bellchime Dr	Stop
21	Lyric Dr Ringstead Way	Ringstead Way	Stop
21	Ringstead Way 46 <sup>th</sup> St	46 <sup>th</sup> St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 215, 2006 was retitled GENERAL ORDINANCE NO. 47, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Boyd Ave Gimber St	Boyd Ave	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 216, 2006 was retitled GENERAL ORDINANCE NO. 48, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-323, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the deletion of the following, to wit:

**40 MPH**

Hanna Avenue, from Brushwood Road to Lynhurst Drive

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

**40 MPH**

Hanna Avenue, from Kollman Road to Kentucky Avenue

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 217, 2006 was retitled GENERAL ORDINANCE NO. 49, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



April 17, 2006

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38	Cresthaven Dr Moonglow Ln	Cresthaven Dr	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38	Cresthaven Dr Moonglow Ln	Cresthaven Dr	Yield

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 225, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 225, 2006 on March 28, 2006. The proposal, sponsored by Councillors Plowman, Brown, Conley, Gray and Moriarty Adams, provides a fifth week of vacation for Indianapolis Police Officers hired after 1984 after 20 years of service. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bowes moved to amend Proposal No. 225, 2006 so that Section 1 reads as follows:

SECTION 1. For purposes of the Agreement between the City of Indianapolis and Fraternal Order of Police Lodge #86, effective from January 1, 2003 through December 31, 2005, including any extensions thereof, any active member of the Indianapolis Police Department hired after December 31, 1984 who shall have served twenty (20) or more continuous years on such department shall receive not less than two hundred (200) hours annual leave with full salary each and every fiscal year.

Councillor Borst seconded the amendment, and Proposal No. 225, 2006 was amended by a unanimous voice vote.

Councillor Boyd moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 225, 2006, as amended, was adopted on the following roll call vote; viz:

24 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy*

0 NAYS:

2 NOT VOTING: *Cain, Randolph*

3 ABSENT: *Franklin, Langsford, Talley*

Proposal No. 225, 2006 was retitled GENERAL ORDINANCE NO. 50, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 2006

A proposal for a GENERAL ORDINANCE providing for a fifth week of vacation for Indianapolis Police Officers hired after 1984 and after twenty (20) years of service.

WHEREAS, the Agreement between the City of Indianapolis and Fraternal Order of Police Lodge #86, effective from January 1, 2003 through December 31, 2005, included a provision for a fifth week of vacation for police officers hired after 1984 after twenty years of service; and

WHEREAS, the City agreed, among other terms, to support an ordinance before the City-County Council providing for the said fifth week of vacation, now therefore,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For purposes of the Agreement between the City of Indianapolis and Fraternal Order of Police Lodge #86, effective from January 1, 2003 through December 31, 2005, including any extensions thereof, any active member of the Indianapolis Police Department hired after December 31, 1984 who shall have served twenty (20) years or more continuous years on such department shall receive not less than two hundred (200) hours annual leave with full salary each and every fiscal year.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 237, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 237, 2006 on April 4, 2006. The proposal, sponsored by Councillors Nytes and Moriarty Adams, establishes that the City-County Council is interested in making the purchase of two parcels of real estate for use by Community Corrections. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Nytes moved to amend the proposal to replace the words "Vertical Properties, LLC" in Section 2 with the words "Jupiter Moon Ludlow, LLC, Jupiter Home, Jupiter Run Ludlow, LLC, Saturn Fire Ludlow, LLC, and Good Dog Ludlow, LLC." Councillor Moriarty Adams seconded the motion and Proposal No. 237, 2006 was amended by a unanimous voice vote.

Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 237, 2006, as amended, was adopted on the following roll call vote; viz:

*23 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy*

*0 NAYS:*

*3 NOT VOTING: Brown, Cain, Randolph*

*3 ABSENT: Franklin, Langsford, Talley*

Proposal No. 237, 2006 was retitled GENERAL RESOLUTION NO. 6, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 2006

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq.; and

WHEREAS, pursuant to IC 36-1-10.5-5 Marion County may purchase land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in making a purchase of specified land; and

WHEREAS, the Marion County wishes to purchase a two parcels of real estate located in Marion County, which are described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate"), for use by Community Corrections; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

*April 17, 2006*

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring the Real Estate described in Exhibit "A" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned by Jupiter Moon Ludlow, LLC, Jupiter Home, Jupiter Run Ludlow, LLC, Saturn Fire Ludlow, LLC, and Good Dog Ludlow, LLC.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**EXHIBIT A**

**LAND DESCRIPTION**

(Part of Parcel I)

Lots 1, 2, 3, 4 and 5 in James Francis' Subdivision of Block 56 in A.E. Fletcher's Fourth Addition to Brookside, now in the City of Indianapolis, as per plat thereof recorded in Plat Book 6, Page 44, in the Office of the Recorder of Marion County, Indiana.

(Part of Parcel II)

Lots 52 through 67, inclusive, in Ingram Fletcher's Subdivision of Lots 1 and 2 in Ingram's Oak Hill Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 6, Page 25, in the Office of the Recorder of Marion County, Indiana.

**ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Cain in memory of Marian R. Chapman; and
- (2) Councillor McWhirter in memory of Evelyn Chenoweth; and
- (3) Councillor Talley in memory of Erie I. Bryant; and
- (4) Councillor Mansfield in memory of Staff Sgt. Eric A. McIntosh; and
- (5) Councillor Randolph in memory of Mary McConnell, Lemuel Farrell Mills, Sr. and Roberta Majors Ranson; and
- (6) Councillors Oliver and Abdullah in memory of Gilbert L. Jackson, Paulette Coleman Hill, and Kevin "Butchie" Dayne Hughes; and
- (7) Councillor Pfisterer in memory of Owen Lewis Shake, Victoria Roberts, Anna Radal Greenwell, Elizabeth Bybee, Joe Ciodyk, Herbert Grande, Jr. and Albert Pico; and
- (8) Councillors Pfisterer, Gray, Langsford, Brown and Randolph in memory of Paul Forsee;
- (9) Councillor Cain in memory of Ray P. Kesner; and
- (10) All Councillors in memory of Captain David Cupello.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Marian R. Chapman, Evelyn Chenoweth, Erie I. Bryant, Staff Sgt. Eric A. McIntosh, Mary McConnell, Lemuel Farrell Mills, Sr., Roberta Majors Ranson, Gilbert L. Jackson, Paulette Coleman Hill, Kevin "Butchie" Dayne Hughes, Owen Lewis Shake, Victoria Roberts, Anna Radal Greenwell, Elizabeth Bybee, Joe Ciodyk, Herbert Grande, Jr., Albert Pico, Paul Forsee, Ray P. Kesner, and Captain David

Cupello. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:22 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 17th day of April, 2006.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)